

Draft Pine Nut Mountains Herd Management Area Plan



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INTRODUCTION

The Bureau of Land Management (BLM), Sierra Front Field Office (SFFO) proposes in this draft Herd Management Area Plan (HMAP) to establish management goals and objectives for the Pine Nut Mountains Herd Management Area (HMA). The overriding objective is to maintain a thriving natural ecological balance and multiple-use relationships.

The Pine Nut Mountains HMAP would establish short and long term management and monitoring objectives for the wild horse herd and their habitat. These objectives would guide management for this HMA. The primary purpose of the plan is to outline and implement management actions necessary to achieve and maintain a thriving a thriving natural ecological balance and multiple-use relationships. These actions would include: conducting gathers and removal of excess wild horses (*Equus caballus*) and/or to implement population growth suppression measures, outline habitat goals, monitoring methods, and insure genetic diversity of the horses for the Pine Nut Mountains HMA.

The goal of this HMAP is to achieve and maintain a Thriving Natural Ecological Balance and Multiple Use Relationship between wild horses, wildlife and livestock¹.

The HMAP would implement a management strategy which would incorporate a number of population control methods and adjust the AML.

The HMA is situated in the northern portion of the Pine Nut Mountains, in Douglas, Lyon and Carson City counties, Nevada (Project Vicinity, Figure 1; Project Area, Figure 2). The Pine Nut Mountains Herd Area (HA; Figure 3) and Pine Nut Mountains HMA (Figure 4) are located within the Pine Nut Mountains.

The communities of Carson City, Minden, Gardnerville, Wellington, Smith and Dayton are spread around the edge of the Pine Nut Mountain range. The range, which runs north-south for 38 miles, includes approximately 397,899 acres of mixed ownership (public land, private land, and Indian trust land).

¹ The Interior Board of Land Appeals (IBLA) explained the statutory directive to manage wild horse populations in a thriving natural balance as follows: “As the court stated in *Dahl v. Clark*, supra at 594, the ‘benchmark test’ for determining the suitable number of wild horses on the public range is ‘thriving ecological balance.’ In the words of the conference committee which adopted this standard: “The goal of wild horse and burro management...should be to maintain a thriving ecological balance between wild horse and burro populations, wildlife, livestock and vegetation, and to protect the range from the deterioration associated with overpopulation of wild horses and burros.” (*Animal Protection Institute of America v. Nevada BLM*, 109 IBLA 115 [1989]).

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The established boundary of the HMA encompasses approximately 90,900 acres of public lands and 14,692 acres of private lands. When the HMA was originally delineated, a large area was delineated around areas where wild horses resided in 1971, and in some cases the area included private lands, such as in the case along the northern edge of the HMA.

The Appropriate Management Level (AML) was established for the Pine Nut Mountains HMA in 1995. The Multiple Use Decision (MUD) process was used culminating in a Final Multiple Use Decision (FMUD) establishing the AML for wild horses by individual grazing allotments within the HMA. The FMUD analyzed habitat monitoring data, horse census data, and livestock actual use by grazing allotment to determine the amount of grazing which could occur within each grazing allotment. The available forage was divided between wild horses, livestock and wildlife at levels which would achieve and maintain a Thriving Natural Ecological Balance and Multiple Use Relationship. The combined total AML for the HMA is between 118-179 animals.

In 1995 the available forage was divided approximately evenly between livestock and wild horses by grazing allotment. The combined grazing was anticipated to not exceed 55 percent use, however, decades of overgrazing by wild horses on four grazing allotments (Clifton, Eldorado Canyon, Hackett Canyon and Mill Canyon) has now reduced the forage production on these four allotments by approximately 50 percent. Livestock have not grazed these four allotments for several decades. Because wild horses are not distributed evenly throughout the HMA, heavy and severe use has been occurring on these allotments while the remainder of the HMA is not experiencing resource damage to upland grasses.

Statutes, Regulations, and Policy

The HMAP complies with Statutes, Regulations, and Agency Policy:

- Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. 1701 et seq.);
- Fundamentals of Rangeland Health (43 CFR 4180);
- Migratory Bird Treaty Act (1918 as amended) and Executive Order 13186;
- National Environmental Policy Act of 1969 (as amended);
- National Historic Preservation Act of 1966, as amended;
- Public Rangelands Improvement Act of 1978;
- State Protocol Agreement between the BLM, Nevada and the Nevada Historic Preservation Office (2009);
- Special Status Species Manual and Direction for State Directors to Review and Revise Existing Bureau Sensitive Species Lists (IM No. NV-2011-059);
- Taylor Grazing Act of 1934 (as amended);
- Wild Free-Roaming Wild horses and Burros Act of 1971 (as amended);

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- Wild horses and Burros Management Handbook (H-4700-1);
- Protection, Management, and Control of Wild Free-Roaming Horses and Burros (43 CFR 4700)
- Record of Decision and Land Use Plan Amendment for the Nevada and California Greater Sage-Grouse Bi-State Distinct Population Segment in the Carson City District and Tonopah Field Office 2016.

Gather operations will be conducted in accordance with the most current direction and policies from the Washington and Nevada State Offices.

Current Instruction Memorandums (IM):

- IM No. 2013-058, Wild Horse and Burro Gathers: Public and Media Management
- IM No. IM no. 2015-151, Comprehensive Animal Welfare Program for Wild Horse and Burro Gathers
- IM No. 2013-060, Wild Horse and Burro Gathers: Management by Incident Command System
- IM No. 2013-061, Wild Horse and Burro Gathers: Internal and External Communicating and Reporting
- IM No. 2015-070, Animal Health, Maintenance, Evaluation and Response
- IM No. 2010-135, Gather Policy, Selective Removal Criteria, and Management Considerations for Reducing Population Growth Rates.
- IM No. 2015-153, Gelding of Wild Horses and Burros
- IM No. 2015-152, Exception to Policy in BLM Handbook H-4700-1 and Manual 4720.41: "Helicopter Gather of Wild Horses and Burros between March 1 and June 30"

Standard Operation Policy (SOP)

- Gather operations will be conducted in accordance with the SOPs described in Attachment 1 and/or the National Wild Horse Gather Contract, whichever is the most current SOP.
- Standard Operating Procedures for Population-Level Fertility Control Treatments (Attachment 2).

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CURRENT CONDITIONS

2016 Wild Horse Census Data

The most recent census of wild horses was conducted in the spring of 2016.

The Pine Nut wild horse population was found to be unevenly distributed throughout the HMA. In addition, there were substantial numbers of horses found outside of the HMA. The Clifton, Eldorado Canyon, Hackett Canyon and Mill Canyon allotments were found to be well over AML.

Summary of Current Conditions – 2016 report

The BLM completed a Summary of Current Conditions on June 7, 2016. The purpose of this Summary was to review the current conditions of the HMA, identify resources that are not meeting management objectives, determine the cause(s) of not meeting management objectives and identify solutions to correct the problems identified.

The Summary found that wild horse grazing is a contributing factor to the downward trends in upland vegetation and riparian communities within the Clifton, Eldorado Canyon, Hackett Canyon and Mill Canyon allotments. Plant species palatable to horses and livestock have declined through time and wild horse utilization of perennial grass species has exceeded recommended use levels. Riparian areas were no longer functional and most of the associated native vegetation had been lost. No livestock use has occurred within this portion of the HMA.

Monitoring indicates the health of upland areas are primarily trending downward. In the north and northeast portion of the HMA, the downward trend of upland vegetative communities coincides with wild horse use levels on perennial grass species in excess of 55 percent. Horse use in this portion of the HMA has been identified as a causal factor contributing to the recent downward trend. Utilization refers to the proportion of the current years forage production that is consumed and or destroyed by grazing animals. The FMUD established a maximum utilization rate of 55 percent for the combined use by livestock and wild horses. (BLM 2016 Pine Nut Herd Management Area Final Summary of Current Conditions)

Recommended utilization levels are established depending upon how fully each forage species in the plant community can be defoliated and still maintain or improve in vigor. In 1995 when the FMUD was issued the number of palatable perennial grasses was declining. The FMUD established stocking levels for both wild horses and livestock based on the available forage, and modified livestock grazing seasons to reduce the number of grazing animals during vegetative growth and reproductive periods. With the exception of the Churchill Canyon and Sunrise allotments, virtually no livestock use has occurred within the HMA since 1995, however, horse

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numbers have exceeded the AML and the use limit of 55 percent. Palatable perennial grasses (needle grass and rice grass) are continuing to decline within the HMA. Rangeland health data indicates the biotic component of the upland plant communities have moderately departed from the reference conditions due to the absence or reduction of palatable perennial grass species. Holecheck (2004) recommends a utilization rate of 30-40 percent for ranges in poor condition. If wild horse use continues to be high or increases, the downward vegetative trend is expected to accelerate further reducing the number of wild horses that the HMA can support. To address the overuse and loss of perennial grass plants the wild horse population should be adjusted to the established AML by grazing allotment, the AMLs were established by allotment and calculated to maintain or improve rangeland condition, by allowing more use to occur the rangeland condition is deteriorating. (BLM 2016 Pine Nut Herd Management Area Final Summary of Current Conditions)

The riparian functional assessments (RFA) indicate the health of riparian areas within the HMA is primarily trending downward (see photos in the Summary). Of the 26 riparian areas assessed, 23 percent are in PFC (proper functioning condition); 19 percent of the riparian areas are rated FAR (functional-at-risk) with a downward trend; and 58 percent of the riparian areas assessed are NF (non-functioning). In the northeast portion of the HMA, the riparian areas are rated at FAR and NF primarily due to wild horse impacts, which overlaps with the highest wild horse inventory numbers and wild horse use. The exception is Hercules Spring which is in PFC but wild horses do not have access to the riparian zone due to fencing. The other five riparian areas rated PFC have no documented horse use or are reaches of larger systems without evidence of wild horse pressures. Of the 19 percent rated FAR, 80 percent have a downward trend due to excessive grazing and hoof action impacting riparian values, four riparian areas have documented impacts from wild horses and one riparian area has documented impacts from livestock (cattle) grazing with no sign of wild horses. Of the 58 percent rated NF, the common impacts are from excessive horse use which has degraded riparian functionality. A few NF riparian areas are showing a drying trend over time, but data is not available to determine the exact causes of loss of riparian functionality, e.g. soil compaction; groundwater draw down from surrounding valleys; or climate change. By adjusting the wild horse population to the established AML by grazing allotment pressure on the springs and seeps would be substantially reduced, however, some of the lesser producing springs and seeps may need to be fenced for improvement to occur. Even a small number of horses can adversely impact small riparian areas as compaction due to hoof action is concentrated. Compacting wet soils can further decrease flows, prevent riparian vegetation from growing which can result in the further loss of soils. Actions to restore the ecological balance include gathering and removing excess wild horses to the low AML of each grazing allotment of the HMA, and applying population control treatments to slow the growth of the wild horse population. Additional management actions should be considered for an indefinite period of time, as environmental conditions such as drought are variable, and wild horse populations would be expected to continue to increase unless further intervention occurs. Fencing riparian areas may be necessary in order for recovery to occur. (BLM 2016 Pine Nut Herd Management Area Final Summary of Current Conditions).

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Table 1. Wild Horse Population & AML by Grazing Allotment Within the Pine Nut Mountains HMA

Allotment Name	Grazing Allotment Status*	2015 Forage Utilization Class	Wild Horse AML ¹	Riparian Functional Assessments	2016 Population Estimate	Excess Horses (as of 2016)	2016 Population vs. Range of AML
Buckeye	Permitted/ currently non-use	Light	27 – 41	–FAR-1	²	0	0%
Churchill Canyon	Permitted**	Light	9 – 13	NF - 1	9	0	69-100%
Clifton	No permitted use	Severe	24 – 37	PFC – 1 ³ FAR – 2 ⁴ NF - 11	192	168	519-800%
Eldorado Canyon	No permitted use	Severe	15 – 22	PFC-1	99	84	450-660%
Hackett Canyon	Permitted/ currently non-use	Heavy to Severe	10 – 15	See Eldorado Canyon	26	16	173-260%
Mill Canyon	No permitted use	Light to Heavy	17 – 25	FAR – 1 NF – 1	24	7	96-141%
Rawe Peak	No permitted use	Light	3 – 5	NF – 1	²	0	0%
Sand Canyon	No permitted use	Light	5 – 8	PFC-2	5	0	63-100%
Sunrise	Permitted/ currently non-use	Light	9 – 13	PFC – 2 FAR – 1 NF - 1	²	0	15-22%
Horses Outside HMA	N/A	N/A	0	N/A	222	222	N/A
Totals for Pine Nut Mountains			118-179		579	497	323-491%

¹Source: 1995 MUD, BLM 2010. ²These areas have substantial forest cover, small numbers of wild horses were likely present but not observed. ³Protected from grazing by an exclosure.

⁴One riparian area (West Barton Spring) was protected by an exclosure that was periodically repaired, resulting in periodic access by wild horses. The other riparian area is Nettles spring which was assessed in 2002.

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PINE NUT MOUNTAINS HMAP: MANAGEMENT GOALS/ OBJECTIVES/ TARGETS/ TRIGGERS

Specific management, monitoring, implementation objectives and targets for the Pine Nut Mountains HMA and Wild Horse Herd are described here:

I. HABITAT OBJECTIVES & MONITORING PROCESS			
Section I identifies the goals, objectives, procedures, and standards for management of wild horse habitat within the Pine Nut Mountains.			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
<p>I.A. Range Condition Limit utilization to sustainable levels, levels that will allow for recovery in over-used areas and levels that can be maintained over time.</p> <p>Limit utilization in sage-grouse habitat to levels recommended in the Record of Decision and Land Use Plan Amendment for the Nevada and California Greater Sage-Grouse Bi-State Distinct Population Segment in the Carson City District and Tonopah Field Office 2016.</p>	<p>Use Pattern Mapping would be used to monitor as to whether or not the habitat objectives are being met.</p> <p>Collect vegetation utilization data annually. Compare use levels with current population estimates.</p>	<p>If habitat objectives are not met or substantially improving by 2020, additional management actions including more frequent gathers and/or adjusting the AML for some of the allotments may need to be implemented.</p>	<p>+ Limit utilization to 35 percent use on herbaceous species in sage-grouse habitat within Wyoming, basin big sagebrush, and black sagebrush habitats</p> <p>+ Limit utilization to 35 percent use in the allotments currently sustaining heavy and severe use (Mill Canyon, Clifton, Eldorado Canyon and Hackett Canyon).</p> <p>+ Limit utilization to 45 percent use on herbaceous species in sage-grouse habitat within Mountain big sagebrush habitats.</p> <p>+ Limit Utilization to 55 percent use on herbaceous species in the remainder of the HMA.</p>
<p>I.B. Vegetation Condition Increase and maintain forage production within the HMA through vegetation manipulation including mechanical treatments, seeding, prescribed burns and fuels reduction.</p> <p>Rehab fires that occur within in the HMA with forage species that stabilize the soil and compete with invasive and noxious weed species.</p> <p>Improve wildlife habitat</p>	<p>Various trend monitoring techniques would be used and may include frequency transects.</p>	<p>Increase the health and number of native grasses in areas that have been historically grass land.</p> <p>Reduce and prevent the establishment of invasive and noxious weed species.</p> <p>Stabilize soil.</p> <p>Improve wildlife habitat.</p>	<p>Meet or move toward the Site Potential as described in the Ecological Site Descriptions for each Ecological Site (NRCS).</p> <p>Meet or move toward meeting the Standards of Rangeland Health.</p>
<p>I.C. Riparian/Wetland Condition Manage for proper functioning condition of all riparian areas.</p>	<p>Re-evaluate riparian functionality every three to five years using the Proper Functioning Condition (PFC) method on all riparian areas in the HMA.</p> <p>Monitor use of water sources with the use of wildlife cameras to determine season of use and numbers using the sources.</p>	<p>If trend conditions remain static or are downward by 2020, exclosure fences may be constructed to promote riparian recovery, or additional management measures, including, more frequent gathers and/or adjusting the AML for that allotment.</p>	<p>Limit use to: 50 percent on riparian herbaceous species and 35 percent on riparian woody species, average stubble height of at least four to six inches (depending on site capability and potential for herbaceous riparian vegetation).</p> <p>All riparian areas should be PFC or moving towards PFC.</p>

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II. PINE NUT HERD POPULATION MANAGEMENT OBJECTIVES			
Section II identifies how the HMAP will manage a healthy herd of wild horses in the Pine Nut Mountains.			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
II.A. Horse Census Reliable population data	Obtain an accurate population estimate for the number of wild horses inside and outside of the Pine Nut Mountains HMA.	Conduct population inventories at least every three years. Current population estimates would be used when analyzing monitoring data of upland habitats, springs and riparian areas.	Current population estimates would be used when analyzing monitoring data to determine if the current AMLs are still valid. If monitoring indicates that the current AMLs are valid gather targets would be based on these estimates. If monitoring data indicates that adjustments in the AMLs are needed AML would be adjusted based on current estimates and monitoring data.
II.B.. Age Distribution Assure all age classes are represented post-gather.	Estimate the age structure of the animals not gathered. Record the number of foals and adults identified during inventories.	Release animals from needed age classes so that all age classes are represented within the HMA.	Post removal horses representing all age classes would be present.
II.C. Animal Condition & Health Manage wild horses to maintain the health of individual animals.	Visually observe wild horse body condition (Henneke Condition Class Method) Record average body condition and document during periodic gather and population inventories.	Conduct emergency removals when needed if animal body condition is less than Henneke condition class score three due to drought, wildfire, range deterioration or other unplanned/unforeseen event.	Manage wild horses to achieve an average body condition class score of 3+ (Henneke Condition Class Method).
II.D. Genetic Diversity Maintain genetic diversity within the herd to minimize inbreeding and limit genetic defects.	During gathers check for visible genetic defects such as clubbed feet. Collect hair samples from captured horses for analysis.	Released animals will be free of visible genetic defects such as clubbed feet. When analysis indicates low diversity a few young horses from other HMAs or areas outside of the HMA would be released into the HMA.	Achieve and maintain a <i>Ho</i> value of 0.309 (E. G. Cothran, 2004).

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III. ROUTINE MONITORING, EVALUATION, AND DECISION-MAKING			
Section III identifies the annual monitoring, evaluation, and decision-making framework for guiding adaptive management within the Pine Nut Mountains. The overall goal is to achieve a Thriving Natural Ecological Balance and Multiple Use Relationship between wild horses, wildlife, and livestock.			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
The Pine Nut Mountains HMA will be monitored annually. Data will be evaluated, and will guide annual management actions.	<p>Monitoring is designed to answer two primary questions:</p> <ul style="list-style-type: none">1) Are habitat and population objectives being met or is the trend moving toward or away from the objectives?2) Significant changes needed as a result of annual or long-term evaluations may require appropriate NEPA analysis and documentation prior to implementation.	<p>HERD MANAGEMENT AREA PLANNING MONITORING AND EVALUATION Management may be adjusted when monitoring data and other information indicates a need. In addition to monitoring, long-term evaluations will be completed at roughly ten-year intervals, or as needed, based on the results of annual evaluations. Monitoring objectives are outlined in this HMAP.</p> <p>Significant changes needed as a result of annual or long-term evaluations may require appropriate NEPA analysis and documentation prior to implementation.</p>	

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<p>III.A. Initial Gather – Winter 2017</p> <p>Correct current over use of uplands, sage grouse habitat, and riparian areas.</p> <p>Address horses that are outside of the HMA.</p>	<p>Four of the nine allotments that comprise the HMA are not meeting objectives. They are in declining conditions which are not sustainable as summarized in Table 1.</p>	<p>The first gather would occur no earlier than January 2017 based on funding, available holding space and national priorities. This gather would take approximately 7 to 10 days to complete.</p> <p>The first gather activities will only occur in Clifton, Eldorado Canyon, Mill Canyon and Hackett Canyon grazing allotments. The target for this gather would be reducing the wild horse population to the lower AML for each of these allotments.</p> <p>Several factors such as animal condition, herd health, weather conditions, holding capacity limitations or other considerations could result in adjustments in the schedule.</p> <p>All of the horses that are outside of the HMA would be gathered.</p>	<p>The first gather would remove approximately 275 excess wild horses within the HMA.</p> <p>The first gather would remove approximately 222 wild horses that are outside the HMA</p> <p>A total of approximately 500 wild horses to be gathered.</p>
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<p>III.B. Triggers for follow-up Gathers (2017-2027)</p> <p>Additional gathers may be needed between 2017 and 2026 to reach and maintain horse populations within AML for each individual allotment and/or to continue application of population growth control measures. Emergency Gathers, such as lack of sufficient water or forage to sustain healthy wild horses.</p> <p>Habitat Objectives not being met.</p> <p>Horses outside HMA</p> <p>Remove horses that are a nuisance or public safety hazard.</p>	<p>Factors include gather success rates, holding capacity limitations, population growth rates, and other national gather priorities. Wild horse populations frequently increase between 15 and 20 percent per year.</p> <p>Collect vegetation utilization data annually and monitor riparian areas for PFC every three to five years.</p> <p>During scheduled population inventories areas outside of the HMA will be included. Field observations would also identify areas occupied by wild horses.</p> <p>Upon written request s from private land owners regarding horses that are a nuisance or public safety hazard per 43 CFR 4720.2-1.</p>	<p>The number of wild horses that would be removed during future gathers would depend on a number of factors including, but not limited to;</p> <ul style="list-style-type: none">• The length of time between gathers;• Rate of wild horse population growth;• Effectiveness of fertility control measures;• Impacts to Bi-state sage-grouse habitat;• Private property and nuisance animal complaints; and/or• Environmental conditions such as drought (forage and water availability). <p>If habitat objectives are not met or substantially improving by 2020, additional management actions including more frequent gathers and/or adjusting the AML for some of the allotments may need to be implemented.</p> <p>These animals would be gathered in conjunction with HMA gathers or separate gathers specific to animals outside the HMA.</p> <p>Typically removed through water/bait trapping with focus on removing only the problem horse(s).</p>	<p>+ Limit utilization to 35 percent use on herbaceous species in sage-grouse habitat within Wyoming, basin big sagebrush, and black sagebrush habitats and the allotments currently sustaining heavy and severe use (Mill Canyon, Clifton, Eldorado Canyon and Hackett Canyon).</p> <p>+ Limit utilization to 45 percent use on herbaceous species in sage-grouse habitat within Mountain big sagebrush habitats.</p> <p>+ Limit Utilization to 55 percent use on herbaceous species in the remainder of the HMA.</p> <p>Limit wild horse distribution to within the HMA.</p> <p>Remove nuisance horses as soon as practical after receiving a written request.</p>
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IV. GATHER & REMOVAL -- METHODS/ PROCEDURES			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
Gathers and Removals of Pine Nut Mountain Wild Horses will be conducted in a safe, humane, efficient, and transparent manner.	Data including sex and age distribution, condition class information (using the Henneke rating system), color, size and other information will be recorded, along with the disposition of that animal (removed or released).	<p>The methods and procedures for conducting helicopter gathers, water/bait trapping, temporary holding, and transport are detailed in the following narrative sections and attachments:</p> <ul style="list-style-type: none">Procedures for Gathers/ Removals in the Pine Nut MountainsDaily Visitation Protocol and Ground Rules for Pine Nut Mountains Wild Horse GathersAttachment 1: Standard Operating Procedures for Wild Horse GathersAttachment 2: Comprehensive Animal Welfare PolicyAttachment 3: Public Observation of Wild Horse and Burro Gathers	
V. REMOVALS & LONG-TERM CARE – METHODS & PROCEDURES			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
Provide for the humane care of removed, off-range wild horses.		<p>Long-term handling and care of removed horses is beyond the scope of the Pine Nut Mountains Herd Management Area Plan.</p> <p>Routine practices are discussed briefly in the following narrative section:</p> <ul style="list-style-type: none">Long-Term Handling and Care of Off-Range Horses	

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VI. FERTILITY TREATMENT & POST-GATHER RELEASE PROTOCOLS			
Section VI summarizes what other methods BLM will use to manage the size the wild horse population.			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
<p>VI.A. Fertility Control Treatments</p> <p>Reduce the rate of population increase so that fewer excess wild horses would need to be removed during future gathers. Extend the interval between removals and decrease the number of horses that would need to be removed.</p> <p>Reduce the rate of population increase by using a variety of fertility control treatments.</p> <p>Adjust the sex ratio of the breeding population in each allotment slightly in favor of males 60/40 percent.</p> <p>Dart or bait/water trap additional horses outside of scheduled gathers to revaccinate or treat unvaccinated animals.</p>	<p>Identify the rate of population change.</p> <p>Conduct post-fertility control monitoring in accordance with established procedures.</p> <p>Document the number of stallions/mares released following each gather.</p>	<p>Breeding age mares selected for release back to the range would be treated with Porcine Zona Pellucida (PZP) vaccine that would slow reproduction of the treated mares for one or more years.</p> <p>New population control vaccines and/or methods may be used within the HMA as directed through the National Wild Horse and Burro Program. The use of any new fertility controls would use the most current best management practices and humane procedures available for the implementation of the new controls.</p> <p>Releasing more males than females after a gather will slow the reproduction rate of the herd while maintaining the herd size within AML.</p> <p>If the population continues to increase more mares would be treated. If too few horses are being recruited fewer mares would be treated.</p>	<p>Balance natural mortality with recruitment, to minimize the number of excess wild horses.</p>

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<p>VI.B. Releases/ Adjustments to meet Population Management Objectives</p> <p>Releases to reach Low AML by allotment</p> <p>Adjustments to meet Sex Ratios, Age Distribution, Genetic Diversity, Health</p>	<p>Ensure that the numbers of gathered horses that are released are appropriate for maintaining low AML.</p> <p>Insure that the correct horses are released to meet objectives.</p>	<p>After the gather portion is completed release the number of horses required to meet the low AML. The number of horses released would be the difference between the number of animals not captured and the low AML by allotment.</p> <p>Release the number of mares and stallions so that the target sex ratios will be achieved post gather include the number of animals not gathered.</p> <p>Release the number of horses that in combination with the horses not gathered would meet the target age class.</p> <p>Release only healthy animals not displaying any obvious genetic defects, i.e. club footed.</p>	<p>Maintain low AML post removal.</p> <p>Resulting population would be comprised of 60 percent stallions and 40 percent mares.</p> <p>Resulting population would be represented by horses in all age classes.</p> <p>Resulting population would consist of animals having a Body Condition Score of three plus and free of obvious genetic defects.</p>
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VII. RANGE IMPROVEMENTS – MAINTENANCE & CONSTRUCTION			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
Maintain boundary fences and construct exclosures.	Monitor boundary fences. Monitor riparian areas, if riparian areas are not improving exclosures may be constructed to protect these areas. Exclosures may also be constructed in upland areas to assess the impacts of grazing on the plant communities.	Maintain boundary fences, exclosures and construct new exclosures as needed.	Maintain all boundary fences, and constructed exclosures as identified.
VIII. WATER HAULING			
Section VIII highlights BLM policy and procedures in regards to hauling water for wild horses			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
Prevent animals dying of dehydration.	Monitor water sources during periods of time when water availability may be an issue.	Temporarily haul water to animals in danger of dying of dehydration until a gather can be completed. Nevada State Water Law and BLM Instruction Memorandum only allow for water hauling within HMA's and only during an emergency situation.	Prevent animals dying of dehydration.
IX. PUBLIC INFORMATION & EDUCATION			
Section IX summarizes how the BLM will keep the public, stakeholders, and other agencies informed about BLM management activities to manage the Pine Nut wild horse herd			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
Inform and educate the public.		Make all management documents i.e. HMAPs, Capture Plans, formal Summaries, available for public comment. Educate the public of the reasons not to feed and water wild horses.	Make the plans available to and notify the public of their availability and opportunity to comment. Educate the public near HMAs not to feed or water wild horses.
X. PARTNERSHIPS			
Section IX summarizes how the BLM will involve organizations, stakeholders, and other agencies with BLM management activities to manage the Pine Nut wild horse herd			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION

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Involve stakeholders, organizations, other agencies, universities, adjacent land owners, and public in achieving the objectives of the HMAP.	Keep an interested public list for the Pine Nut Mountains HMA. Send notices, links, e-mails of wild horse management documents to those on this list.	Develop agreements to accomplish specific projects i.e. application of contraceptives, monitoring, and tasks within the Pine Nut Mountains HMA. Involve these groups in updates and modification of the HMAP.	
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XI. 10-YEAR REVIEW			
Section XI summarizes how BLM will review and update as needed the HMAP, AML and HMA boundary.			
MANAGEMENT GOAL(S)	MONITORING OBJECTIVE(S)	IMPLEMENTATION OBJECTIVE(S)	TARGET(S)/ TRIGGERS FOR FUTURE ACTION
XI.A. Evaluation of HMAP In 10 years (2027) evaluate the effectiveness of the HMAP in meeting or making progress towards meeting the targets identified in the HMAP		Produce a Management Evaluation report. Review the current HMAP to determine if progress is being made toward achieving the plans goals and objectives or are additional management actions needed. Determine if a new updated HMAP is needed to meet new requirements or if current plan is not achieving the planned goals and objectives.	
XI.B. Adjustments in AML If the 2027 Summary of Current Conditions show the utilization and riparian goals are not met and wild horse utilization is determined to be the causative factor an adjustment in the AML may become necessary.	AML would be evaluated, as needed, following an in-depth analysis of resource conditions including, but not limited to: actual use, utilization, available forage and water, range condition and trend, and precipitation.	The revised AML would be based on analysis of at least 3 years monitoring information using process in Appendix 3 - AML Establishment and Adjustment Process in the Wild Horses and Burros Management Handbook (H-4700-1).	Achieve and maintain a thriving natural ecological balance and multiple-use relationships
XI.C. HMA boundary adjustments During the 2027 Evaluation of the HMAP the HMA boundaries will be examined.	Continue to collect monitoring data.	Analyze monitoring data to determine if habitat objectives are being met and if adjustments in the HMA are necessary. These adjustments could be to remove areas that do not meet criteria identified in the Wild Horse and Burro Handbook. Or could be to include areas within the HA if habitat objectives are being met within the HMA.	Analyze whether or not adjustments in the HMA are warranted.

PINE NUT MOUNTAINS HMA-SPECIFIC ACTIONS & PROCEDURES

Procedures for Gathers/ Removals in the Pine Nut Mountains

- Use of Helicopters for Gathering Horses

When gather objectives require gather efficiencies of 50-80% or more of the animals to be captured from multiple gather sites (traps) within the HMA, the helicopter drive method (with horseback assisted roping) will be the primary gather method used. To the extent possible gather sites (traps) will be located in previously disturbed areas. Post-gather, every effort would be made to return any released animals to the same general area from which they were gathered.

Gathering wild horses using a helicopter is authorized by Section 1338 of the WFRHBA. The use of a helicopter is often the most efficient and humane method for conducting a gather, especially for an HMA which has scattered water sources, variable terrain, and areas that are inaccessible by vehicles. Direct mortality of wild horses associated with helicopter-driven gathers is less than one percent (BLM 2015b).

If the local conditions and management targets require a helicopter drive-trap operation, the BLM would utilize a contractor or in-house gather team to perform the gather activities in cooperation with BLM and other appropriate staff. The contractor would be required to conduct all helicopter operations in a safe manner and in compliance with Federal Aviation Administration (FAA) regulations 14 CFR § 91.119 and BLM IM No. 2010-164.

Helicopter drive trapping involves use of a helicopter to herd wild horses into a temporary trap. BLM SOPs outlined in Attachments 1 and 2 would be implemented to ensure that the gather is conducted in a safe and humane manner, and to minimize potential impacts or injury to the wild horses. Traps would be set in an area with high probability of access by horses utilizing the topography if possible to assist with capturing excess wild horses residing within the area. Traps consist of a large catch pen with several connected holding corrals, jute-covered wings and a loading chute. The jute-covered wings are made of material, not wire, to avoid injury to the horses. The wings form an alley way used to guide the horses into the trap. Trap locations are changed during the gather to reduce the distance that the animals must travel. A helicopter is used to locate and herd wild horses to the trap location. The pilot uses a pressure and release system while guiding them to the trap site, allowing them to travel at their own pace. As the herd approaches the trap the pilot applies pressure and a Prada horse is released guiding the wild horses into the trap. Once horses are gathered they are removed from the trap and transported to a temporary holding facility where they are sorted.

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If helicopter drive-trapping operations are needed to capture the targeted animals, BLM would assure that an Animal and Plant Health Inspection Service (APHIS) veterinarian or contracted licensed veterinarian is on-site during the gather to examine animals and make recommendations to BLM for care and treatment of wild horses. BLM staff would be present on the gather at all times to observe animal condition, ensure humane treatment of wild horses, and ensure contract requirements are met.

- Use of Bait/Water Trapping

If gather efficiencies utilizing helicopter drive-trapping do not achieve the desired goals, or if a follow-up helicopter gather cannot be scheduled to remove the remaining excess wild horses, water/bait trapping may be utilized as a supplement to a helicopter gather. Water/bait trapping would be used to remove sufficient numbers of horses to achieve the management targets, to relieve resource concerns and/or concentrated groups of horses both inside and adjacent to the HMA if this gather technique is appropriate for a particular portion of the HMA. For example, in isolated cases, water/bait trapping could be utilized to gather small numbers of excess wild horses that reside outside of the HMA boundary or a few accessible areas within the HMA. Any water/bait trapping activities would be scheduled during time periods that would be most effective and in those isolated areas that would be most conducive for the use of this technique.

Gathering excess horses using bait/water trapping could occur at any time of the year and traps would remain in place until the target number of animals is removed. Generally, bait/water trapping is most effective when a specific resource is limited, such as water during the summer months. For example, in some areas, a group of wild horses may congregate at a given watering site during the summer because few perennial water resources are available nearby. Under those circumstances, water trapping could be a useful means of reducing the number of horses at a given location, which can also relieve the resource pressure caused by too many horses. Bait and/or water trapping is a low stress approach to gathering wild horses, such trapping can continue into the foaling season without harming the mares or foals.

Bait and/or water trapping generally require a longer window of time for success than helicopter drive trapping. Although the trap would be set in a high probability area for capturing excess wild horses residing within the area and at the most effective time periods, time is required for the horses to acclimate to the trap and/or decide to access the water/bait. Based on wild horse watering locations in this area, it is estimated that multiple trap sites may be used during trapping activities. Bait or water trapping sites could remain in place up to one year.

Bait/ water trapping involves setting up portable panels around an existing water source or in an active wild horse area, or around a pre-set water or bait source. The portable panels would be set up to allow wild horses to go freely in and out of the corral until they have adjusted to it. When the wild horses fully adapt to the corral, it is fitted with a gate system. The acclimatization of the horses creates a low stress trapping method. During this acclimation period the horses would experience some stress due to the panels being setup and perceived access restriction to the water/bait source.

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When actively trapping wild horses, the trap would be manned or checked on a daily basis by either BLM personnel or authorized contractor or volunteer staff. Horses would be either removed immediately or fed and watered for up to several days prior to transport to a holding facility. Existing roads would be used to access the trap sites.

An Animal and Plant Inspection Service (APHIS) or other veterinarian may be on-site during bait/ water trapping to examine animals and make recommendations to BLM for care and treatment of wild horses. For bait trapping, veterinarian services would be provided at the holding facilities and available at the trap sites if needed.

- Selection of Locations for Trap Sites & Temporary Holding Facilities

Multiple gather sites (traps) may be utilized, depending on the location of wild horses at the time of the gather. Trap sites may be within or outside the HMA on BLM-managed lands or private lands with land owner permission. To the extent practicable, trap sites would be located in previously disturbed areas and at previously used trap sites (Figure 10). For effective transport purposes and minimizing disturbances to the land, traps sites are typically located on or close to existing roads.

The most humane and efficient gather approach would be chosen when assessing gather areas and actions needed. Any trapping activities would be scheduled in locations and during time periods that would be most effective to gather sufficient numbers of animals to achieve management goals. This appropriate gather method would be decided by the Wild Horse and Burro Specialist based on the location, accessibility of the animals, local terrain, vegetative cover, and available sources of water and forage. The use of roping from horseback could also be used when necessary. Temporary trap (gather) sites, including helicopter drive and water/bait trapping sites, as well as temporary holding sites, may be used to accomplish the goals of the Proposed Action. In addition to public lands, private property may be utilized for gather sites and temporary holding facilities (with the landowner's permission) if necessary to ensure accessibility and/or based on prior disturbance. Use of private land would be subject to Standard Operating Procedures (SOPs; Attachment 1) and to the written approval/authorization of the landowner.

Trap sites and temporary holding facilities will be located in previously used sites or other disturbed areas whenever possible. Undisturbed areas identified as potential trap sites or holding facilities would be inventoried for cultural resources. If cultural resources are encountered, these locations would not be utilized unless they could be modified to avoid impacts to cultural resources.

Temporary gather and holding sites would be no larger than 0.5 acres. Helicopter drive and temporary holding sites could be in place for up to 45 days. The exact location of the gather sites and holding sites may not be determined until immediately prior to the gather because the location of the animals on the landscape is variable and unpredictable. The BLM would make every effort to place temporary gather and holding sites in previously disturbed areas and in areas that have been inventoried and have no cultural resources, sacred sites or

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paleontological sites. If a new gather or holding site is needed, a cultural inventory would be completed prior to using the new site. If cultural resources are encountered, the location of the gather/holding site would be adjusted to avoid all cultural resources. All gather (helicopter drive or water/bait trapping) and handling activities (including gather site selections) would be conducted in accordance with SOPs in Attachment 1.

No helicopter drive trap sites would be set up on or near sage grouse leks, riparian areas, cultural resource sites, or Congressionally Designated Wilderness Areas. Gather activities (helicopter) would not occur during migratory bird nesting season (April- July). All trap sites and holding facilities on public lands would be recorded with Global Positioning System equipment. In general, gather sites and holding corrals would not be located where sensitive animal and/or plant species are known to occur nor within crucial intact habitat for big game species. If water trapping methods are used traps would be set up at water sources but would be designed to avoid any additional impacts, those impacts that are not present by the current use of these areas by wild horses.

Activities in listed species habitat would be subject to Section 7 consultation under the Endangered Species Act with the level of consultation to be determined based upon the project site-specific proposed action. BLM would complete consultation prior to implementation of any specific action which may have an effect on a listed species.

Activities within Bi-State Sage Grouse habitat would be in accordance with the WO IM 2012-043 and adhere to Nevada State Office IM 2015-017 and the Record of Decision and Land Use Plan Amendment for the Nevada and California Greater Sage-Grouse Bi-State Distinct Population segment in the Carson City District and Tonopah Field Office (2016).

- Monitoring of Gathered Horses/ Data Collection

Data would be collected on gathered wild horses including: sex, age, condition class (using the Henneke rating system), color and size. The BLM may also collect genetic data to ensure that acceptable genetic diversity is maintained within the remaining herd.

- Euthanasia

Any wild horses with chronic or incurable disease, lame horses unable to maintain an acceptable body condition (greater than or equal to a Henneke BCS of 3), or wild horses with serious physical defects (such as severe tooth loss or wear, club foot, and other severe congenital abnormalities) would be humanely euthanized either before gather activities begin or during the gather operations. Decisions to humanely euthanize animals in field situations would be made in conformance with BLM policy (WO IM No. 2015-070 or most current edition).

- Activities at Temporary Holding Facilities (Corrals)

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Wild horses that are gathered would be transported from the gather sites to a temporary holding corral in goose-neck trailers. While at the temporary holding corrals, the horses would be identified for adoption or release due to age, gender and/or other desirable characteristics. At the temporary holding corral wild horses would be sorted into different pens based on sex. Horses would be identified for population growth suppression and administered a shot at the corrals prior to release. Mares and their dependent foals would be kept in pens together.

At the temporary holding facility, a veterinarian, when present, would provide recommendations to the BLM regarding care and treatment of the recently captured wild horses.

The horses while in the temporary holding corrals are provided good quality hay and water.

- Post capture handling, Transport, Off-Range Corrals, and Adoption Preparation

All gathered wild horses would be removed and transported to BLM holding facilities where they would be inspected by facility staff and if needed a contract veterinarian to observe health and ensure the animals are being humanely cared for.

Wild horses removed from the range would be transported to the receiving off-range corrals (ORC, formerly short-term holding facility) in a goose-neck stock trailer or straight-deck semi- tractor trailers. Trucks and trailers used to haul the wild horses would be inspected prior to use to ensure wild horses can be safely transported. Wild horses would be segregated by age and sex when possible and loaded into separate compartments. Mares and their dependent foals would be shipped together. Transportation of recently captured wild horses is limited to a maximum of 12 hours.

Upon arrival, recently captured wild horses are off-loaded by compartment and placed in holding pens where they are provided good quality hay and water. Most wild horses begin to eat and drink immediately and adjust rapidly to their new situation. At the off-range corral, a veterinarian provides recommendations to the BLM regarding care, treatment, and if necessary, euthanasia of the recently captured wild horses. Any animals affected by a chronic or incurable disease, injury, lameness or serious physical defect (such as severe tooth loss or wear, club foot, and other severe congenital abnormalities) would be humanely euthanized using methods acceptable to the AVMA), in accordance with BLM IM Washington Office Instruction Memorandum (WO IM 2015-070). Wild horses in very thin condition or animals with injuries are sorted and placed in hospital pens, fed separately and/or treated for their injuries.

After recently captured wild horses have transitioned to their new environment, they are prepared for adoption, sale, or transport to long-term grassland pastures. Preparation involves freeze- marking the animals with a unique identification number, vaccination against common diseases, castration, and de-worming. At ORC facilities, a minimum of 700 square feet of space is provided per animal.

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- Selective Release and Removal

Horses that display good confirmation and health condition would be selected first to be placed back on the HMA.

All 2016 foals, which would be between six to nine months of age at the time of the initial gather, would be removed as “weaned foals.” Any dependent foals would be either removed or released with its mare depending on the disposition of the mare (returned to the HMA area or removed for adoption). Removing this number of wild horses would return the estimated population to the lower limit of the AML range by allotment for the HMA (76 - 88 animals depending on distribution).

A veterinarian would assess the condition of all captured wild horses. Removed excess wild horses would be transported from holding corrals to off-range corrals (ORCs) to be prepared for adoption or transportation to off-range pastures (ORPs).

The post removal population would consist of animals from all age classes; however, all weanable foals would be removed.

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Daily Visitation Protocol and Ground Rules for Pine Nut Mountains Wild Horse Gathers

BLM recognizes and respects the right of interested members of the public and the press to observe the Pine Nut Mountains HMA wild horse gather. At the same time, BLM must ensure the health and safety of the public, BLM's employees and contractors, and America's wild horses. Accordingly, BLM developed these rules to maximize the opportunity for reasonable public access to the gather while ensuring that BLM's health and safety responsibilities are fulfilled. Failure to maintain safe distances from operations at the gather and temporary holding sites could result in members of the public inadvertently getting in the path of the wild horses or gather personnel, thereby placing themselves and others at risk, or causing stress and potential injury to the wild horses and burros.

The BLM and the contractor's helicopter pilot must comply with 14 CFR Part 91 of the Federal Aviation Regulations, which determines the minimum safe altitudes and distance people must be from the aircraft. To be in compliance with these regulations, the viewing location at the gather site and holding corrals must be approximately 500 feet from the operating location of the helicopter at all times. The viewing locations may vary depending on topography, terrain and other factors.

General Daily Protocol

- A wild horse gather info phone line would be set up prior to the gather so the public can call for daily updates on gather information and statistics. Visitors are strongly encouraged to check the phone line the evening before they plan to attend the gather to confirm the gather and their tour of it is indeed taking place the next day as scheduled (weather, mechanical issues or other things may affect this) and to confirm the meeting location.
- Visitors must direct their questions/comments to either their designated BLM representative or the BLM spokesperson on site, and not engage other BLM/contractor staff and disrupt their gather duties/responsibilities - professional and respectful behavior is expected of all. BLM may make the BLM staff available during down times for a Q&A session. However, the contractor and their staff would not be available to answer questions or interact with visitors.
- Observers must provide their own 4-wheel drive high clearance vehicle, appropriate shoes, winter clothing, food and water. Observers are prohibited from riding in government and contractor vehicles and equipment.
- Gather operations may be suspended if bad weather conditions create unsafe flying conditions.
- BLM would establish one or more observation areas, in the immediate area of the gather and holding sites, to which individuals would be directed. These areas would be placed

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so as to maximize the opportunity for public observation while providing for a safe and effective horse gather. The utilization of such observation areas is necessary due to the use and presence of heavy equipment and aircraft in the gather operation and the critical need to allow BLM personnel and contractors to fully focus on attending to the needs of the wild horses and burros while maintaining a safe environment for all involved. In addition, observation areas would be sited so as to protect the wild horses from being spooked, startled or impacted in a manner that results in increased stress.

- BLM would delineate observation areas with yellow caution tape (or a similar type of tape or ribbon).
- Visitors would be assigned to a specific BLM representative and must stay with that person at all times.
- Visitors are not permitted to walk around the gather site or temporary holding facility unaccompanied by their BLM representative.
- Observers are prohibited from climbing/trespassing onto or in the trucks, equipment or corrals, which is the private property of the contractor.
- When BLM is using a helicopter or other heavy equipment in close proximity to a designated observation area, members of the public may be asked to stay by their vehicle for some time before being directed to an observation area once the use of the helicopter or the heavy machinery is complete.
- When given the signal that the helicopter is close to the gather site bringing horses in, visitors must sit down in areas specified by BLM representatives and must not move or talk as the horses are guided into the corral.
- Individuals attempting to move outside a designated observation area would be requested to move back to the designated area or to leave the site. Failure to do so may result in citation or arrest. It is important to stay within the designated observation area to safely observe the wild horse gather.
- Observers would be polite, professional and respectful to BLM managers and staff and the contractor/employees. Visitors who do not cooperate and follow the rules would be escorted off the gather site by BLM law enforcement personnel, and would be prohibited from participating in any subsequent observation days.
- BLM reserves the right to alter these rules based on changes in circumstances that may pose a risk to health, public safety or the safety of wild horses (such as weather, lightening, wildfire, etc.).

Public Outreach and Education Day-Specific Protocol

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- A public outreach and education day provides a more structured mechanism for interested members of the public to see the wild horse gather activities at a given site. On this day, BLM attempts to allow the public to get an overall sense of the gather process and has available staff who can answer questions that the public may have. The public rendezvous at a designated place and are escorted by BLM representatives to and from the gather site.

Framework for Fertility Control in the Pine Nut Mountains HMA

- **Use of Contraceptives**

Contraception reduces future reproduction. Limiting future population increases of horses would limit increases in environmental damage from higher densities of horses. Bartholow (2007) concluded that the application of two or three-year contraceptives to wild mares could reduce operational costs by 12-20 percent or up to 30 percent carefully planned population management programs contraceptive treatment would likely reduce the number of horses that must be removed in total, with attendant cost reductions in the number of adoptions and total holding costs.

The PZP vaccines currently being used on over 75 horses by the National Park Service, US Forest Service, Bureau of Land Management and its use is appropriate for free-ranging wild horse herds. The long-term goal is to reduce or eliminate the need for gathers and removals. From 20 years of application to wild horses PZP application in wild mares cause mares to foal out of season or late in the year (Kirkpatrick and Turner 2003). Roelle and Ransom (2009) found that the most time-efficient method for applying PZP is by hand-delivered injection of two-year pellets when horses are gathered. They observed only two instances of swelling from the. Use of remotely delivered, one-year PZP is generally limited to populations where individual animals can be accurately identified and repeatedly approached. The formulation produced injection-site reactions of varying intensity, though none of the observed reactions appeared debilitating to the animals. The longer term nodules observed did not appear to change any animal's range of movement or locomotor patterns and in most cases did not appear to differ in magnitude from naturally occurring injuries or scars.

The BLM currently uses two PZP formulations for fertility control of wild horse mares, ZonaStat-H and PZP-22. As other formulations approved for use by BLM, they may be applied through future gathers or darting activities. ZonaStat-H has an efficacy of approximately 90% for 12 months and requires annual boosters to maintain the highest efficacy. PZP-22 has an effectiveness of up to 22-months however its efficacy declines rapidly in the second year. Both of the current PZP formulations can help slow the growth rate of wild horse populations and can thereby help reduce the frequency of gathers and the number of excess wild horses needed to be removed as long as the highest level of efficacy is maintained.

PZP vaccine use in wild horse herds has been studied extensively for more than two decades, with papers published in peer-reviewed scientific journals by experienced reproductive physiologists, equine scientists, wildlife biologists, geneticists, and animal behaviorists. This scientific information confirms the safety, high efficacy, and absence of long-term behavioral, physical, or physiological effects from the vaccine. This data is supported by field data, with statistically adequate sample sizes. Data was collected by trained, unbiased individuals, who adhere to established research methodology within his or her respective field (Kirkpatrick et al. 2010).

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The most effective is a one- year liquid vaccine that must be boosted annually through hand injection or remote darting. This vaccine, known as ZonaStat-H, was registered in February 2012 with the EPA for preventing pregnancy in wild horse mares. Developed in collaboration with Dr. Jay F. Kirkpatrick, Director of the Science and Conservation Center in Billings, MT, ZonaStat-H is based on PZP, a protein which when injected, produces antigens that bind the sperm receptor sites and render the animal infertile. ZonaStat-H and PZP-22 are endorsed by the Humane Society of the United States (HSUS).

<http://www.pzpinfo.org/pzp.html>

http://www.humanesociety.org/news/press_releases/2012/02/EPA_Announces_First_Fertility_Control_Vaccine_for_Wild_Horses.html

- **Administration of Fertility Control Treatments during Pine Nut Horse Gathers**

Under the HMAP, the BLM would treat all mares to be returned to the HMA PZP-22 or most current formulations of PZP available. Based on a gather efficiency of 80 percent, the BLM anticipates that approximately 10 to 26 mares would be treated during the initial gather.

For the PZP-22 formulation administered during gathers, each released mare would receive a single dose of the two-year PZP contraceptive vaccine. The pellets are applied to the mare with a large gauge needle and jab-stick into the hip. At this time, a proven method is not available to apply the pellets via darting, though trials are underway to explore appropriate mechanisms for the delivery of the pellets by darting.

All captured and treated wild horses would be freeze marked on the left neck with “FC” for later identification. After treatment, the mares would be returned to the HMA. Wild horses vaccinated using a dart gun would not be freeze marked, however pictures and a written description for each animal treated would be recorded (see Standard Operating Procedures for Pine Nut Mountains Population-Level Fertility Control Treatments).

PZP is not 100 percent effective, and under most circumstances less than 80 percent of the population can be gathered. Thus, the Pine Nut Mountain wild horse population would be expected to continue to increase, albeit at a slower rate. However, by utilizing PZP the rate of increase can be slowed possibly extending the interval between gathers and reducing the number of excess horses. However, it would not eliminate the need for future gathers as it is not 100 percent effective and due to the limited access to substantial areas of the HMA far fewer than 80 percent of the horses could be reached.

- **Follow-up Treatment (Repeat Gathers/ Booster Vaccinations/ Darting)**

It can be difficult to capture and treat a large portion of mares, thus the Pine Nut Mountain wild horse population will likely continue to increase in size. By slowing the rate of herd population growth, however, the fertility control program is expected to slow the return rate for future gathers. Darting of wild horses would also serve to reduce the population growth rate, and thus lengthen the timeframes for future removals.

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It is anticipated that bait and water trapping, and periodic helicopter removals, would be necessary to continue to implement fertility control treatments. These gathers will be needed to apply initial fertility treatments to mares born on the range, to booster previously treated mares, or to remove excess wild horses to maintain the established AML.

Booster treatments with ZonaStat-H would be necessary on an annual basis to maintain effective treatment success. Trained applicators would opportunistically dart mares on the range. Blinds made of camouflaged material would be used at water sources to obscure applicators and allow efficient treatment of as many mares as possible alternatively some animals may be approached and darted in other locations or captured utilizing portable panels, vaccinated and released.

It is not feasible to gather wild horse herds every year to administer the ZonaStat-H form of the vaccine. In a few bands/ herds, horses can be treated by darting each year, but large-scale darting is generally not practical because of large population sizes, vast terrain, and it is difficult to approach most wild horses on Western rangelands close enough to effectively dart them. For this reason, the BLM currently relies mostly on a longer-lasting pelleted PZP agent (PZP-22) administered during gather activities. PZP-22 is a time-release pelleted PZP vaccine formulation which includes a liquid dose of the ZonaStat-H and an injection of time release pellets that release at 1, 3 and 12 months after application, resulting in a potential effectiveness of 22 months. Studies have shown that PZP-22 is most effective the first year after it is administered; efficacy drops off rapidly in year 2. Maximum effectiveness of PZP-22 is achieved when the mares are treated during a three- to four-month window prior to foaling.

http://www.blm.gov/wo/st/en/prog/whbprogram/science_and_research/fertility_control.html

Trained volunteers or BLM personal may administer currently approved contraceptives within and outside of the HMA to any mare which meets the treatment criteria. Mares may be darted at water sources, uplands, or temporarily corralled in which case they would be released after receiving the vaccination.

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Standard Operating Procedures for Pine Nut Mountains Population-Level Fertility Control Treatments

The following implementation and monitoring requirements are part of the Proposed Action:

1. PZP, PZP22 and ZonaStat-Hvaccine would be administered only by trained BLM personnel, collaborating research partners, or trained volunteers.
2. Mares that have never been treated would receive 0.5 cc of PZP vaccine emulsified with 0.5 cc of Freund's Modified Adjuvant (FMA). Mares identified for re-treatment receive 0.5 cc of the PZP vaccine emulsified with 0.5 cc of Freund's Incomplete Adjuvant (FIA).
3. The fertility control drug is administered with two separate injections: (1) a liquid dose of PZP-22 is administered using an 18-gauge needle primarily by hand injection; (2) the pellets are preloaded into a 14-gauge needle. These are delivered using a modified syringe and jabstick to inject the pellets into the gluteal muscles of the mares being returned to the range. The pellets are designed to release PZP over time similar to a time-release cold capsule.
4. Delivery of the vaccine would be by intramuscular injection into the gluteal muscles while the mare is restrained in a working chute. The primer would consist of 0.5 cc of liquid PZP emulsified with 0.5 cc of Freund's Modified Adjuvant (FMA). The pellets would be loaded into the jabstick for the second injection. With each injection, the liquid or pellets would be injected into the left hind quarters of the mare, above the imaginary line that connects the point of the hip (hook bone) and the point of the buttocks (pin bone).
5. In the future, the vaccine may be administered remotely using an approved long range darting protocol and delivery system if or when that technology is developed.
6. All treated mares would be freeze-marked on the hip or neck to positively identify the animals during the research project and at the time of removal during subsequent gathers.

Monitoring and Tracking of Treatments:

1. At a minimum, estimation of population growth rates using helicopter or fixed-wing surveys would be conducted before any subsequent gather. During these surveys it is not necessary to identify which foals were born to which mares; only an estimate of population growth is needed (i.e. # of foals to # of adults).
2. Population growth rates of herds selected for intensive monitoring would be estimated every year post-treatment using helicopter or fixed-wing surveys. During these surveys it is not necessary to identify which foals were born to which mares, only an estimate of population growth is needed (i.e. # of foals to # of adults). If, during routine HMA field monitoring (on-the-ground), data describing mare to foal ratios can be collected, these data should also be shared with the NPO for possible analysis by the USGS.

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3. A PZP Application Data sheet would be used by field applicators to record all pertinent data relating to identification of the mare (including photographs if mares are not freeze-marked) and date of treatment. Each applicator would submit a PZP Application Report and accompanying narrative and data sheets would be forwarded to the NPO (Reno, Nevada). A copy of the form and data sheets and any photos taken would be maintained at the field office.
4. A tracking system would be maintained by NPO detailing the quantity of PZP issued, the quantity used, disposition of any unused PZP, the number of treated mares by HMA, field office, and State along with the freeze-mark(s) applied by HMA and date.

LONG-TERM CARE & HANDLING OF OFF-RANGE HORSES

While outside the scope of the Pine Nut Mountains Herd Area Management Plan, the following section summarizes aspects of long-term care and adoption for off-range wild horses.

- Adoption
Adoption applicants are required to have at least a 400 square foot corral with panels that are at least six feet tall. Applicants are required to provide adequate shelter, feed, and water. The BLM retains title to the horse for one year and inspects the horse and facilities during this period. After one year, the applicant may take title to the horse, at which point the horse becomes the property of the applicant. Adoptions are conducted in accordance with 43 CFR Subpart 4750.
- Sale w/ limitation
Buyers must fill out an application and be pre-approved before they may buy a wild horse. A sale-eligible wild horse is any animal that is more than 10 years old or has been offered unsuccessfully for adoption at least three times. The application also specifies that buyers cannot sell the horse to slaughter buyers or anyone who would sell the animals to a commercial processing plant. Sales of wild horses are conducted in accordance with the 1971 WFRHBA and congressional limitations.
- Off-range pastures
When shipping wild horses for adoption, sale or off-range pastures (ORPs), the animals may be transported for up to a maximum of 24 hours. Immediately prior to transportation, and after every 24 hours of transportation, animals are offloaded and provided a minimum of 8 hours on- the-ground rest. During the rest period, each animal is provided access to unlimited amounts of clean water and two pounds of good quality hay per 100 pounds of body weight with adequate space to allow all animals to eat at one time.

Mares and sterilized stallions (geldings) are segregated into separate pastures except at one facility where geldings and mares coexist. Although the animals are placed in ORP, they remain available for adoption or sale to qualified individuals; and foals born to pregnant mares in ORP are gathered and weaned when they reach about 8-12 months of age and are also made available for adoption. The ORP contracts specify the care that wild horses must receive to ensure they remain healthy and well-cared for. Handling by humans is minimized to the extent possible although regular on-the-ground observation by the ORP contractor and periodic counts of the wild horses to ascertain their well-being and safety are conducted by BLM personnel and/or veterinarians.
- Euthanasia or Sale without Limitations
While the destruction of healthy excess animals and sale without limitations is allowed under the WFRHBA, neither option is currently available for disposition of excess horses under the Department of the Interior's fiscal year 2016 budgetary appropriations, due to Congressional restrictions in the Department of the Interior's appropriations bills. This appropriations language has been in effect for much of the past twenty years, and BLM accordingly does not destroy healthy excess animals or allow their sale without limitations.

MAPS

Draft Pine Nut Mountains Herd Management Area Plan

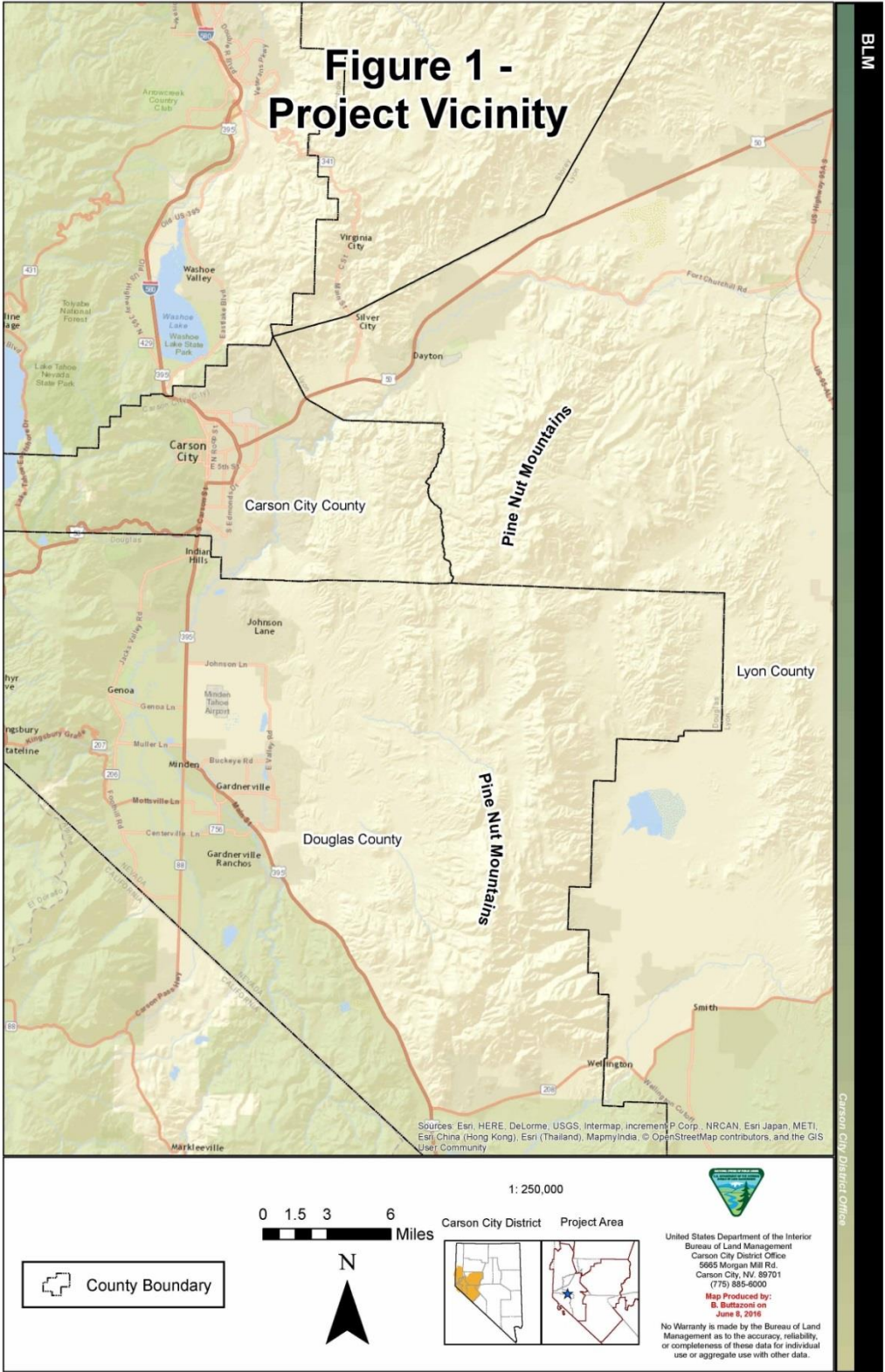


Figure 1, Project Vicinity

Draft Pine Nut Mountains Herd Management Area Plan

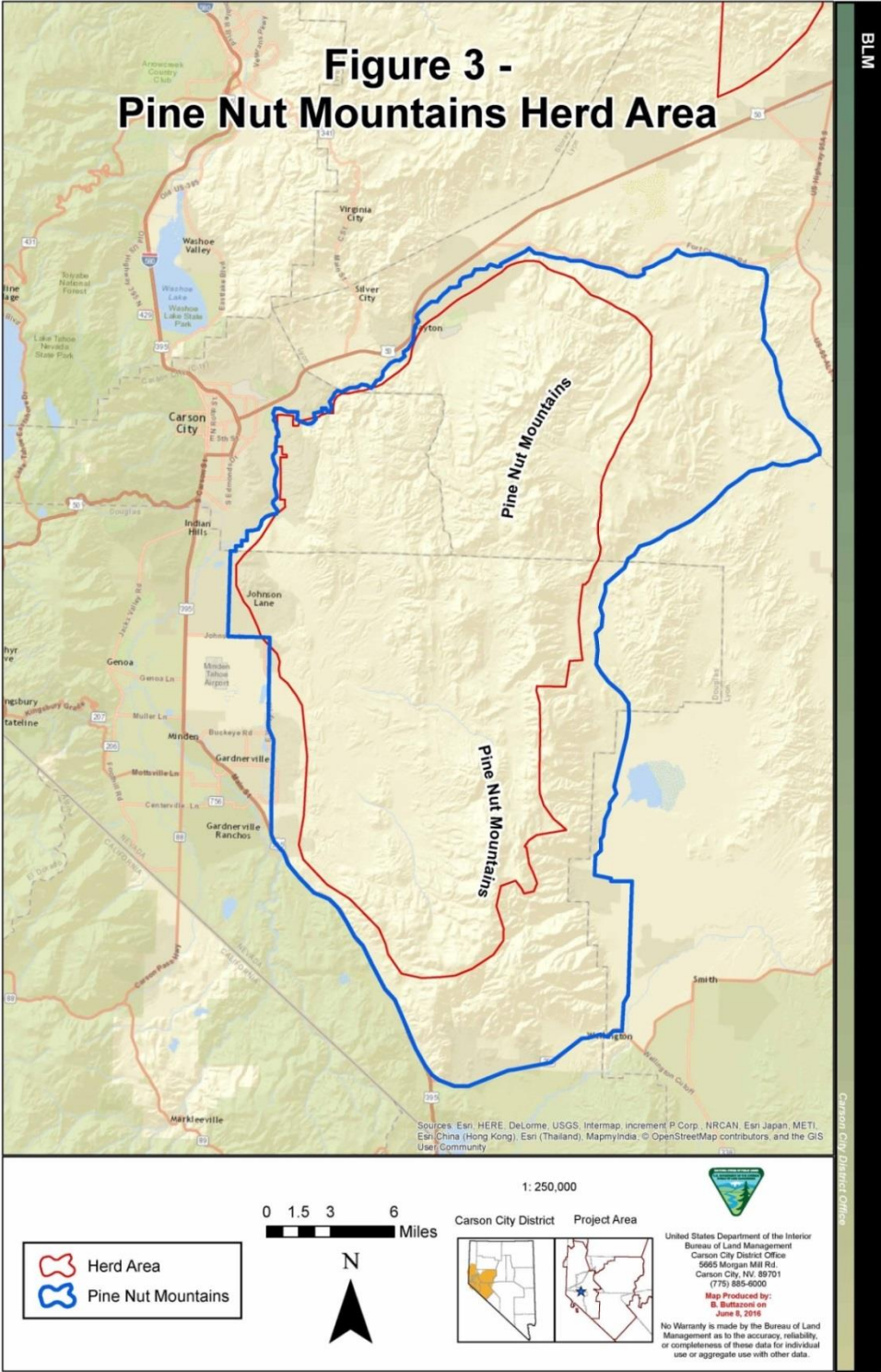


Figure 2, Project Area

Figure 3, Pine Nut Mountains Herd Area (HA)

Draft Pine Nut Mountains Herd Management Area Plan

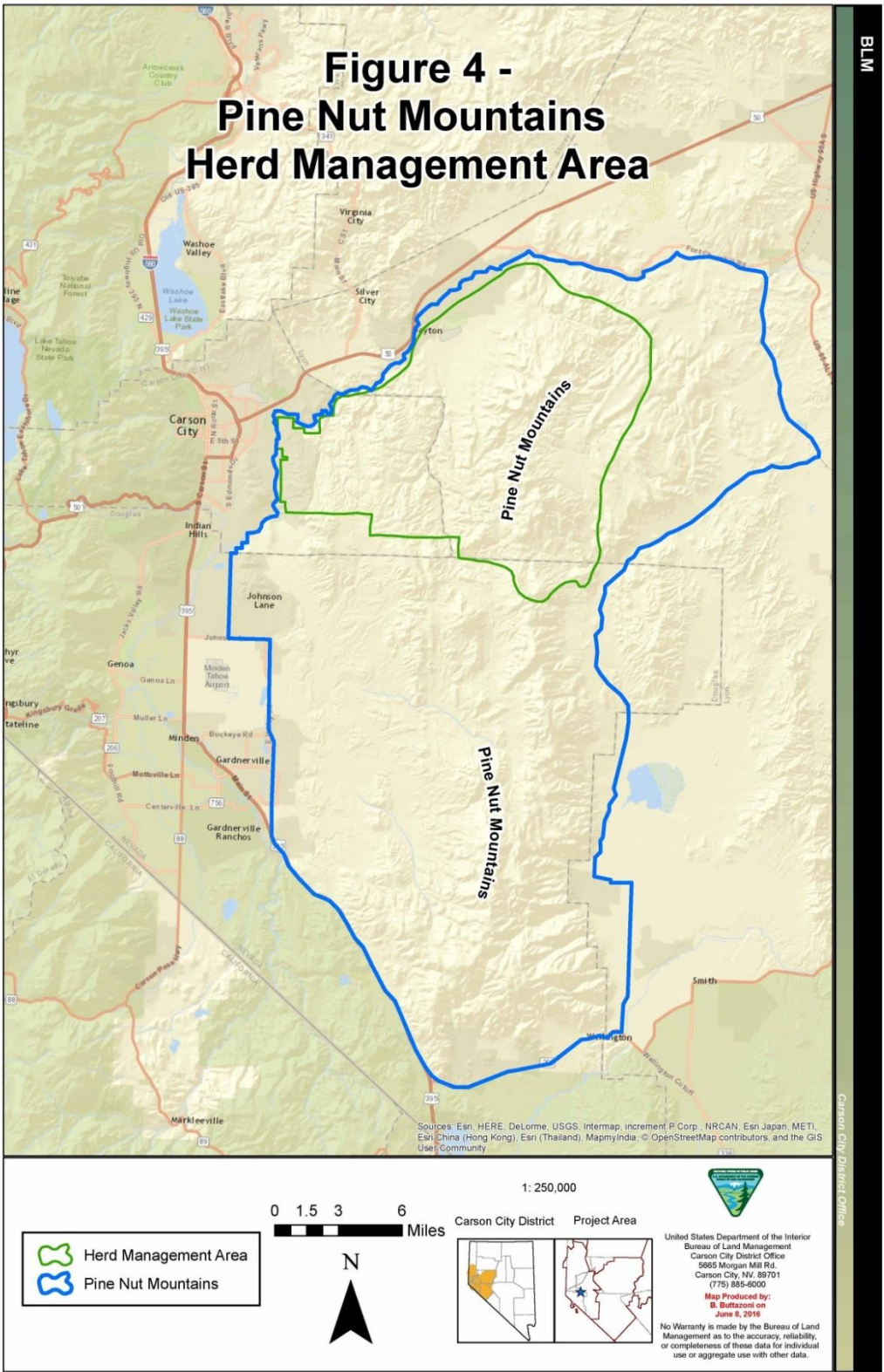


Figure 4, Pine Nut Mountains Herd Management Area (HMA)

Draft Pine Nut Mountains Herd Management Area Plan

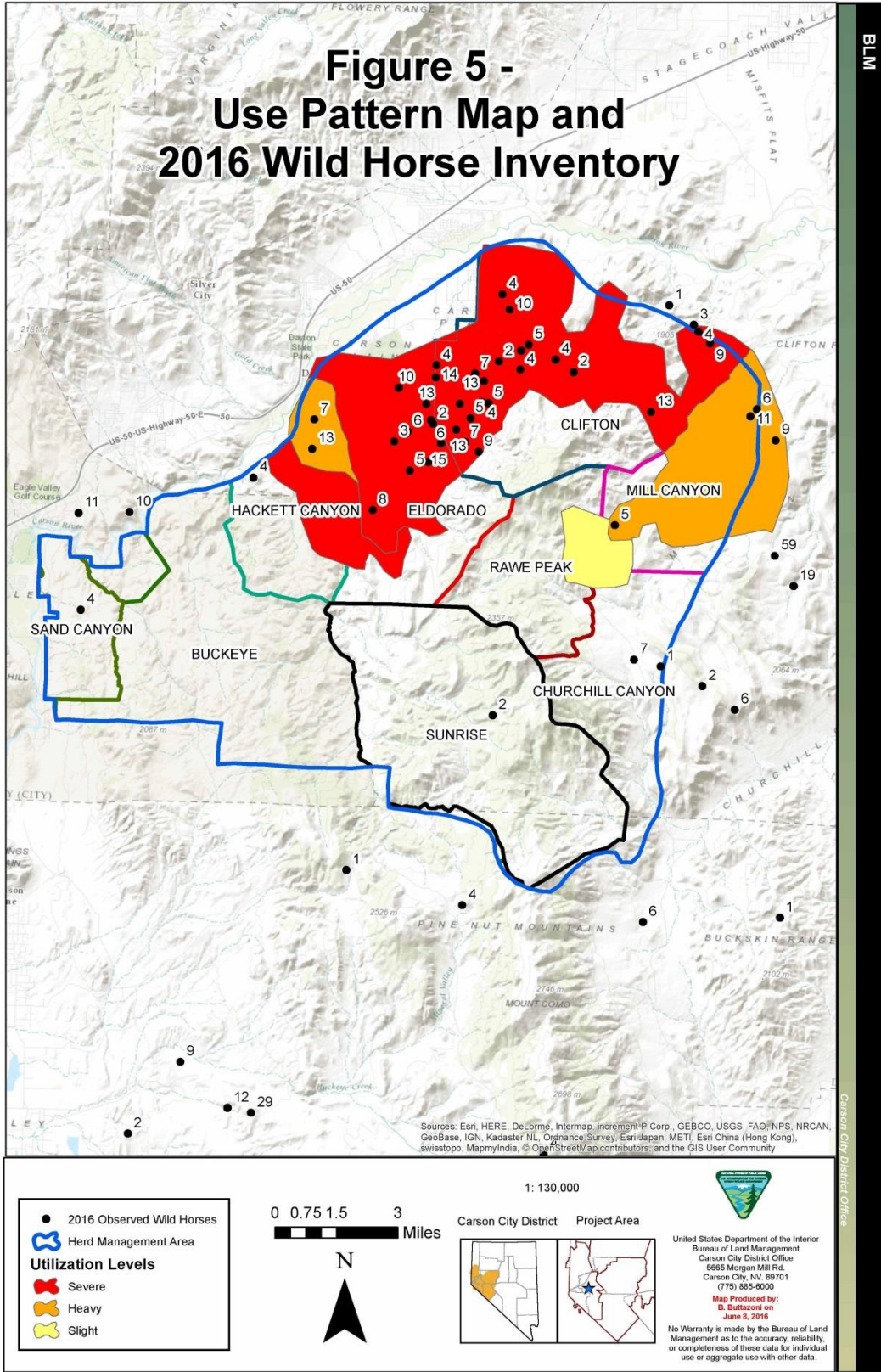


Figure 5, Use Pattern Map and 2016 Wild Horse Inventory

Draft Pine Nut Mountains Herd Management Area Plan

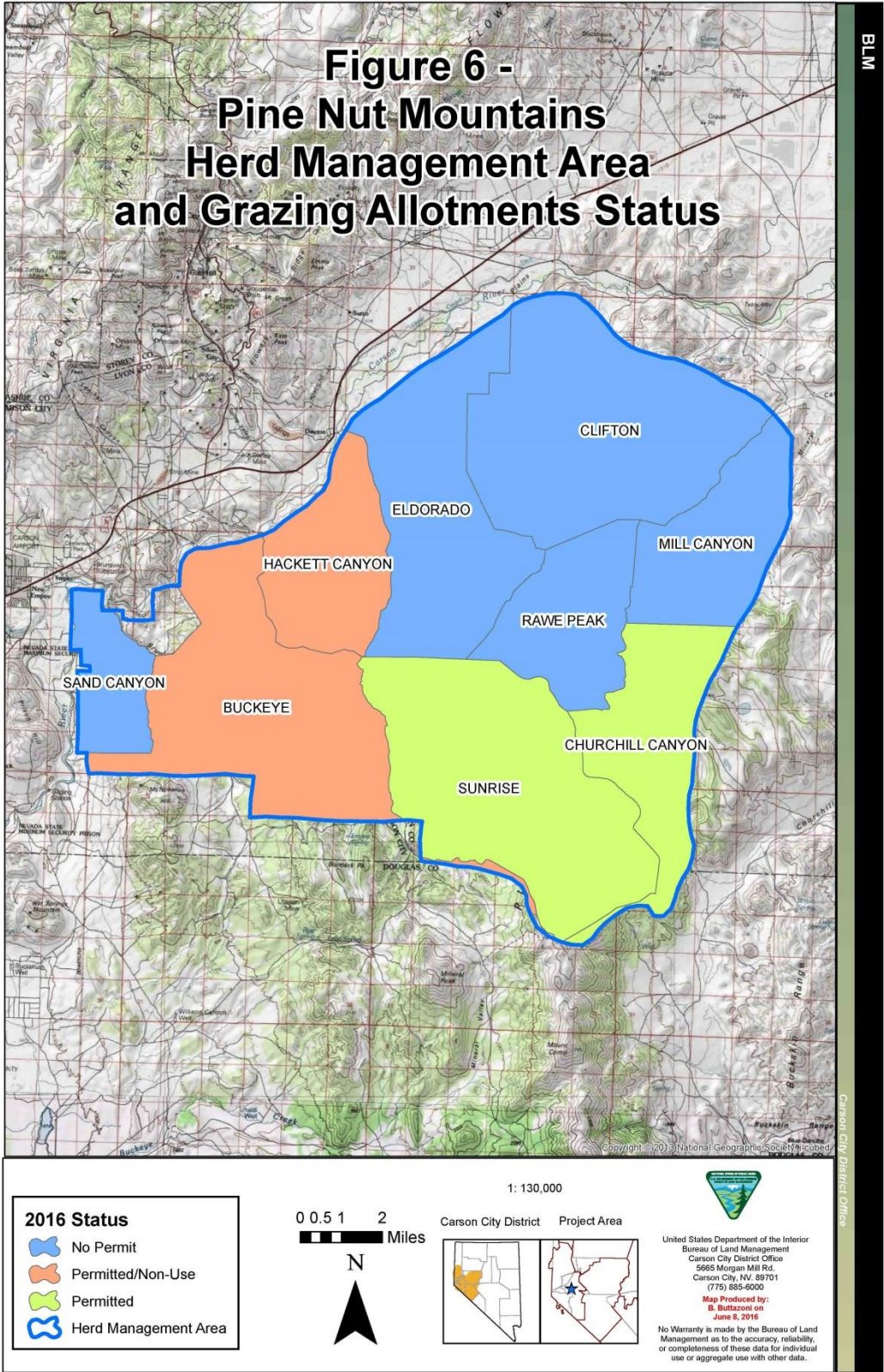


Figure 6, Grazing Allotment Status

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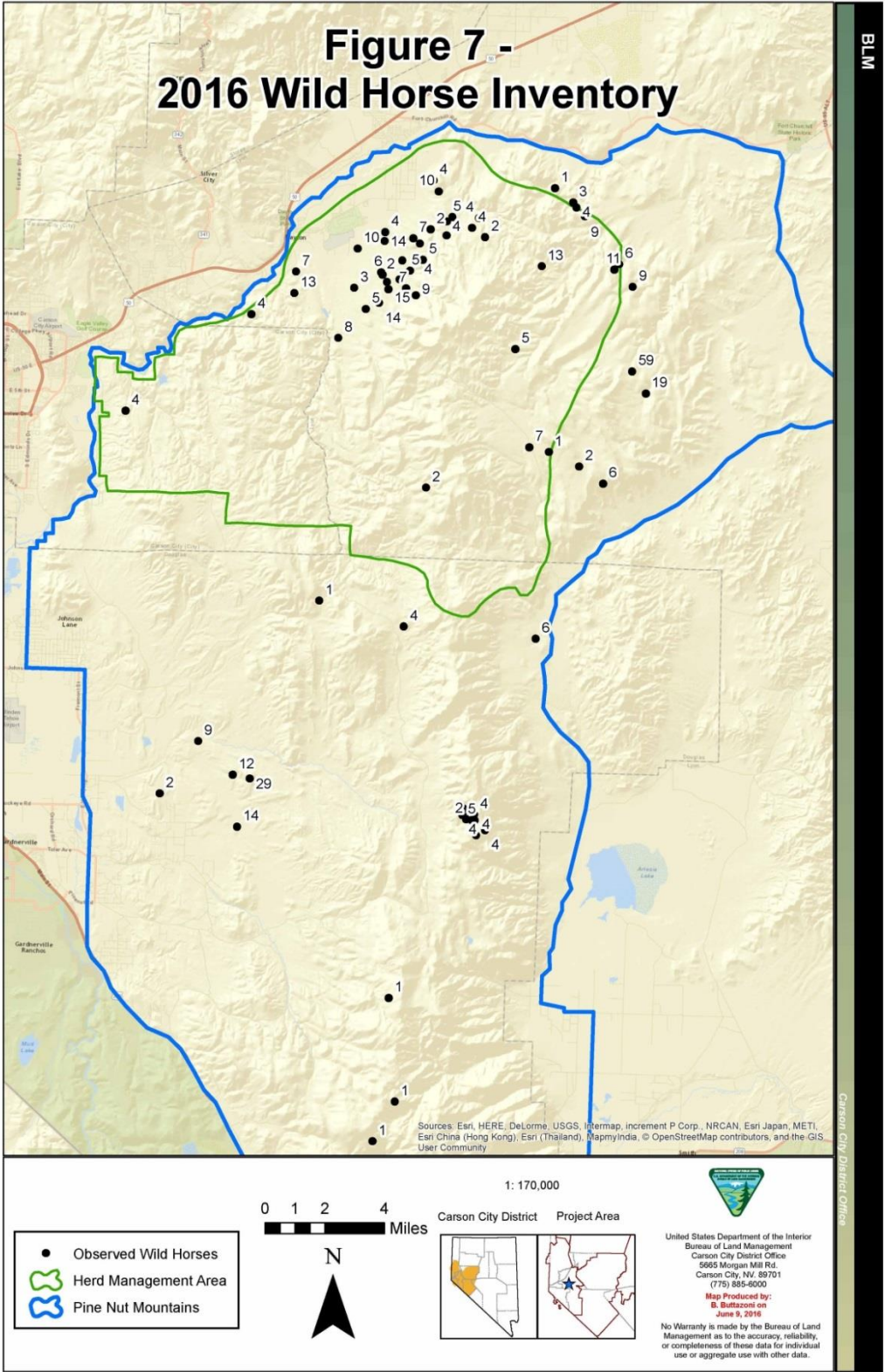


Figure 7, 2016 Wild Horse Inventory

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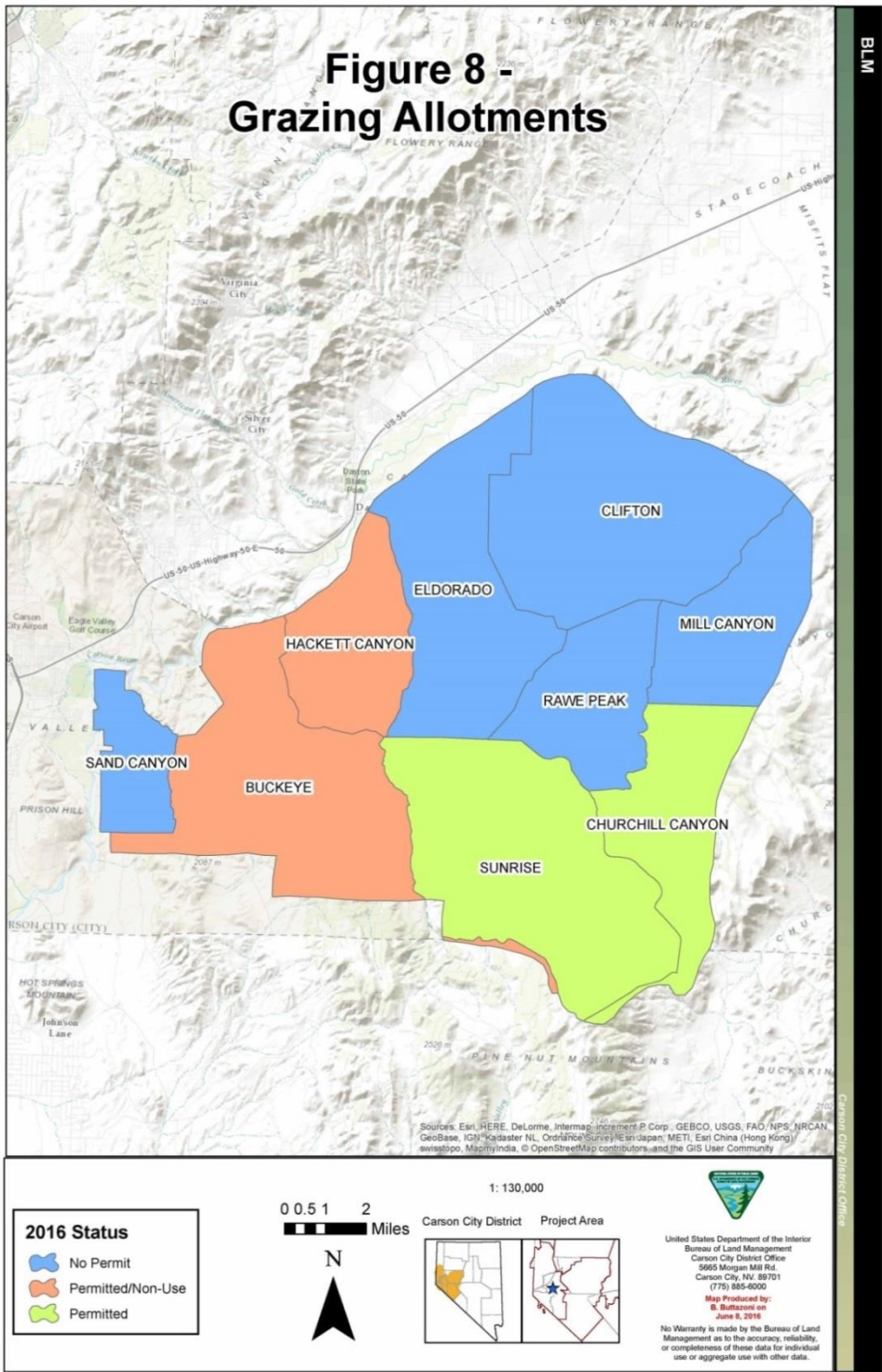


Figure 8, Grazing Allotments

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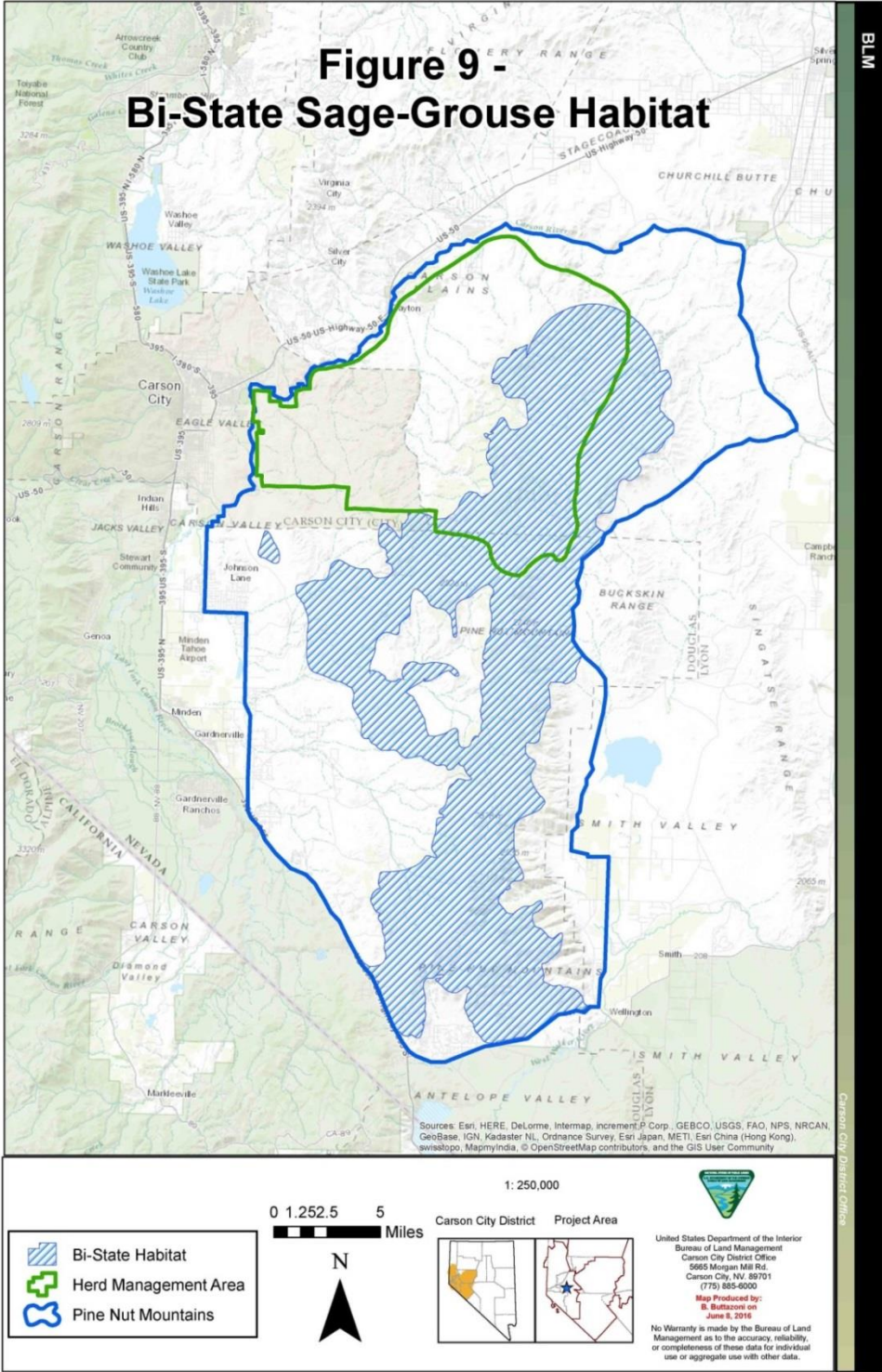


Figure 9, Bi-State Sage-Grouse Habitat

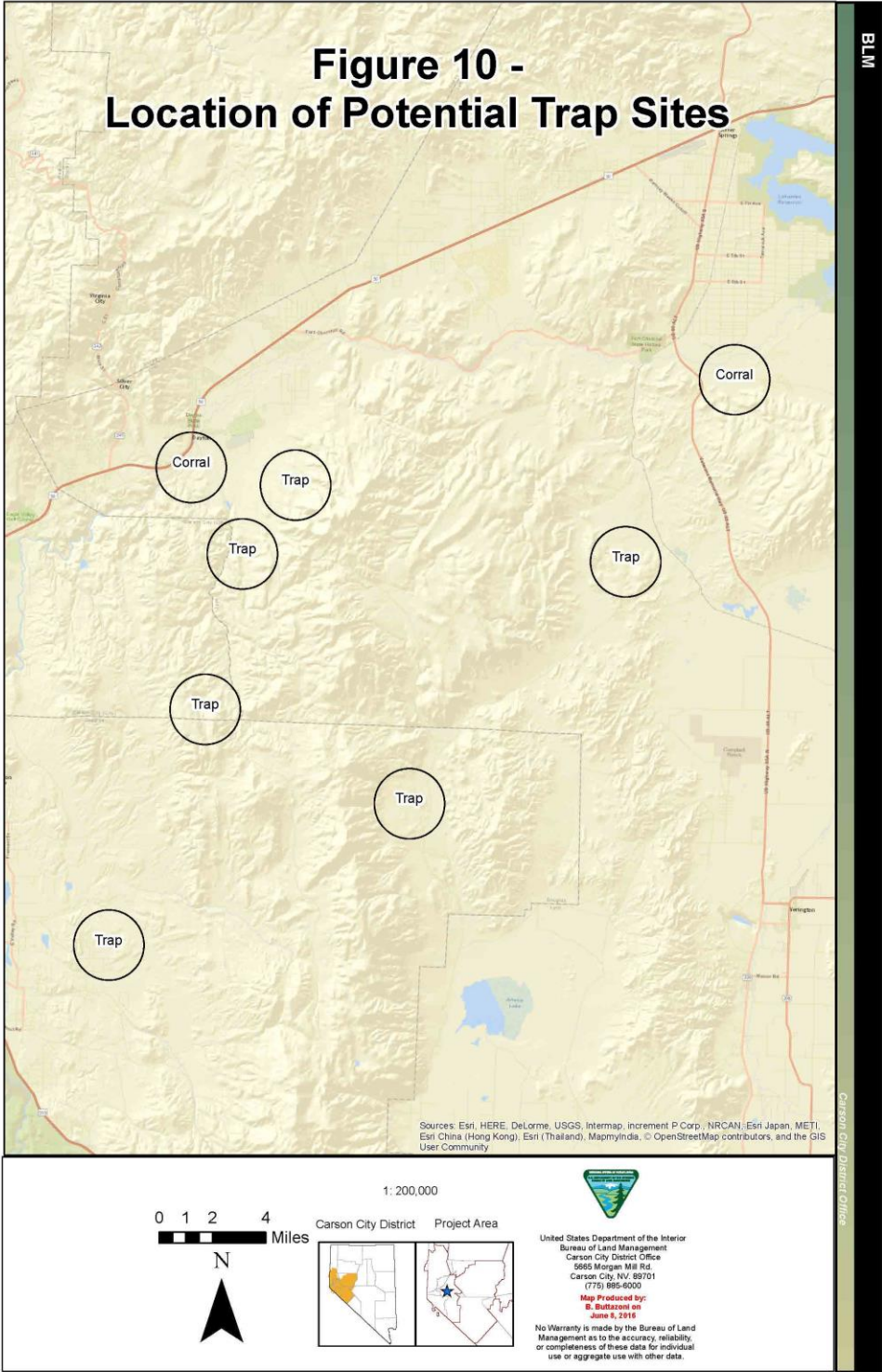


Figure 10, Location of Potential Trap Sites

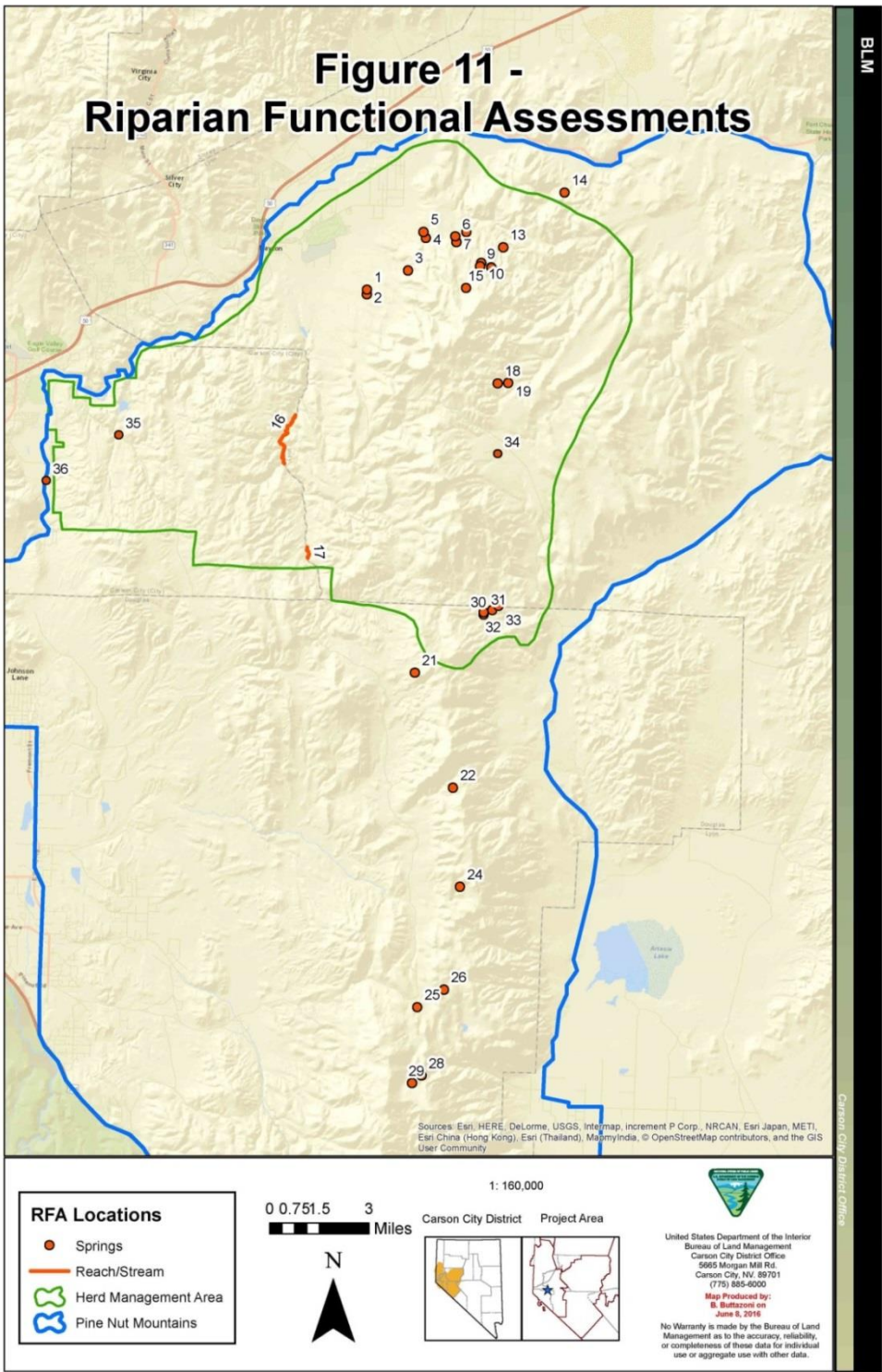


Figure 11, Riparian Functional Assessments

Draft Pine Nut Mountains Herd Management Area Plan

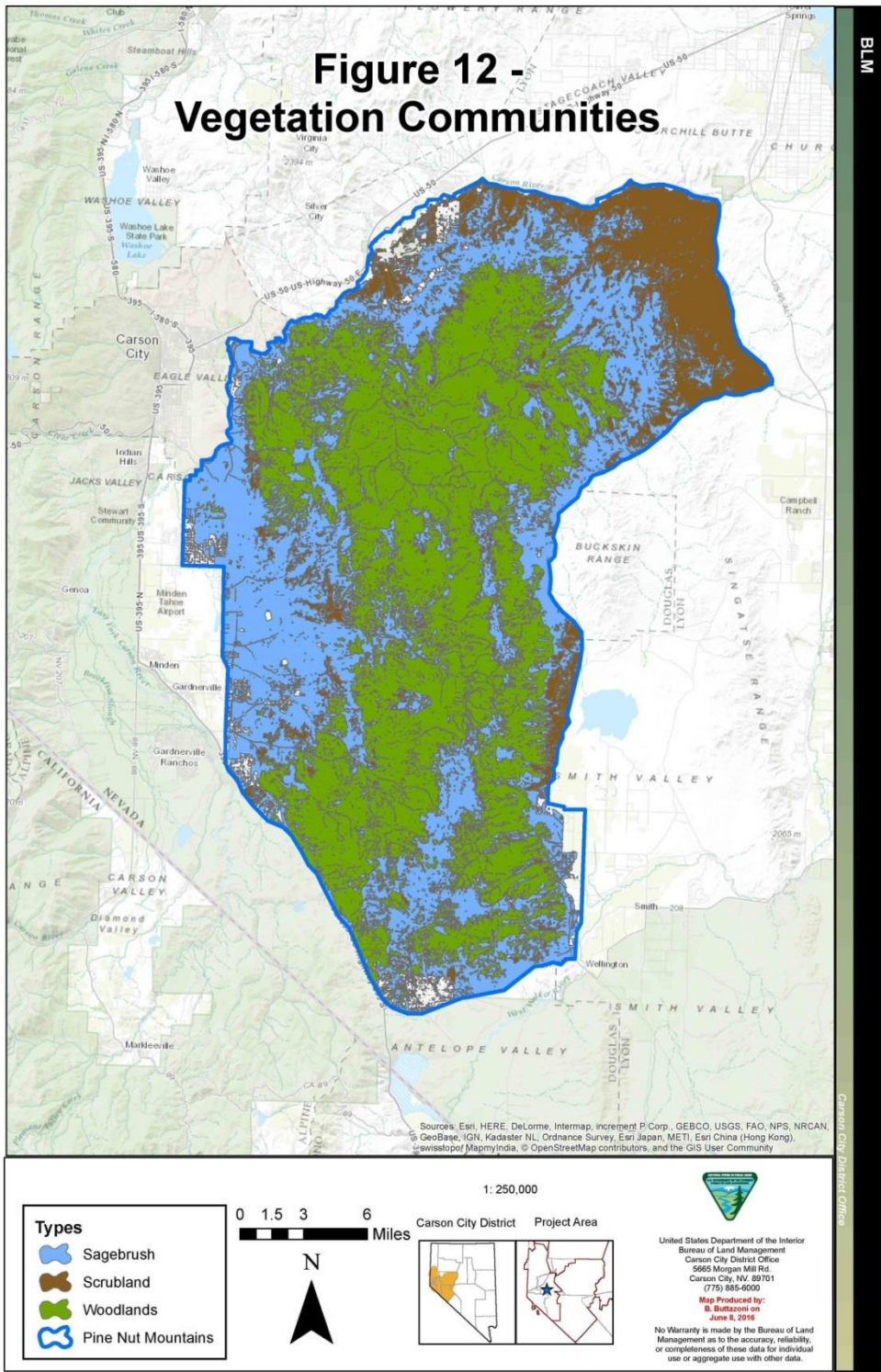


Figure 12, Vegetation Communities

Draft Pine Nut Mountains Herd Management Area Plan

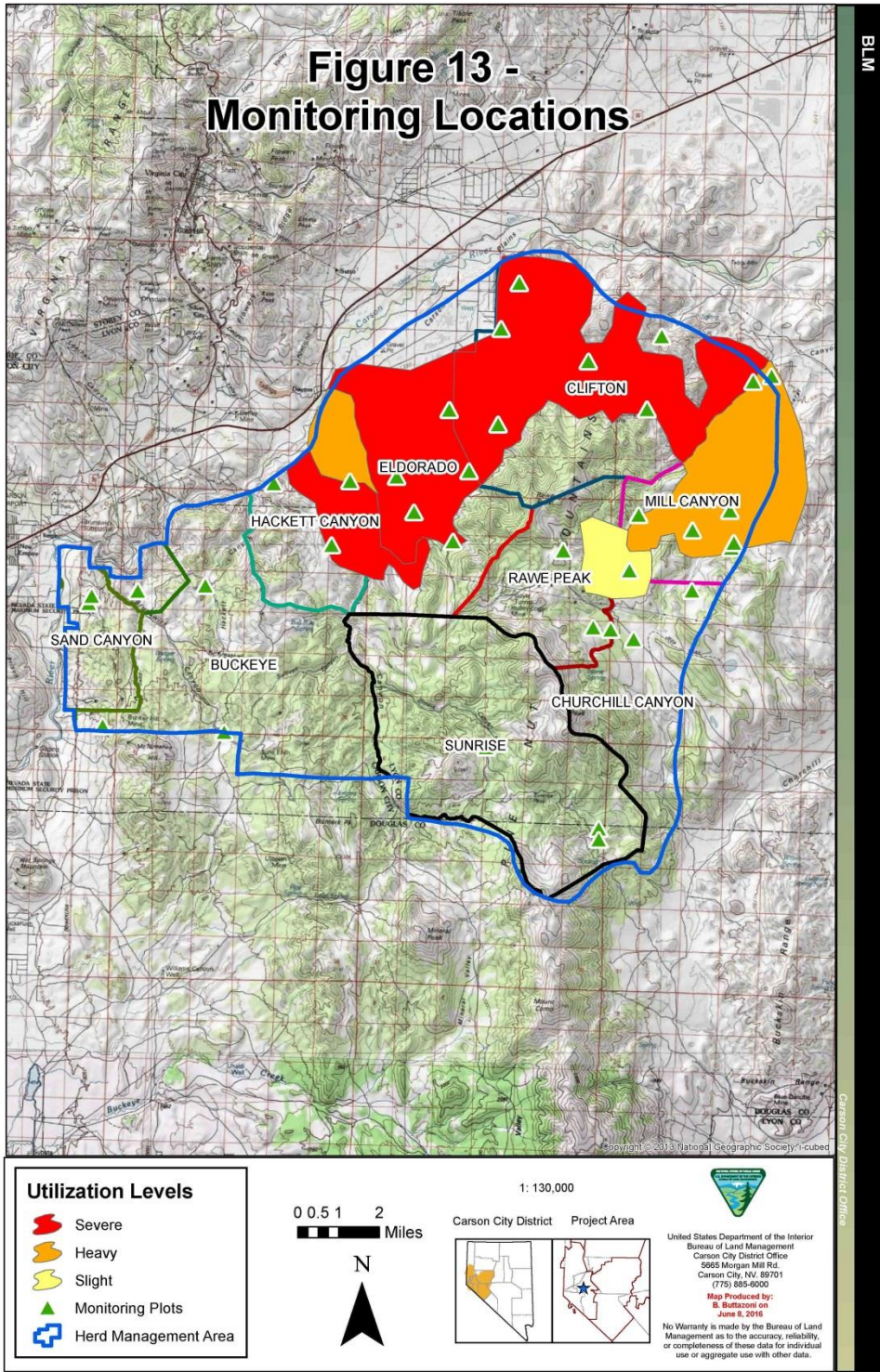


Figure 13, Monitoring Locations

Draft Pine Nut Mountains Herd Management Area Plan

CONSULTATION AND COORDINATION

The consultation and coordination conducted in preparing this herd management area plan is summarized in the Pine Nut Mountains Wild Horse Herd Management Area Plan and Gather Plan Environmental Assessment. Please refer to that environmental assessment for additional information and appendices.

List of Preparers

Bryant Smith	Field Manager, SFFO
John Axtell	Wild Horse & Burro Specialist, SFFO (Wild Horses)
Niki Cutler	Hydrologist, SFFO (Soils and Hydrology)
Katrina Leavitt	Rangeland Management Specialist, SFFO (Livestock Grazing and Vegetation)
Dean Tonenna	Botanist, SFFO (Special Status Plants and noxious weeds)
Arthur Callan	Outdoor Recreation Planner
Rachel Crews	Archaeologist (Cultural Resources and Native American Religious Concerns)
Gerrit Buma	Planning and Environmental Coordinator (NEPA)
Katrina Krause	Wildlife SFFO Wildlife Biologist

BLM POLICIES & STANDARD OPERATING PROCEDURES

Proven mitigation and monitoring are incorporated through BLM standard operating procedures (SOPs) and statements of policy that have been developed over time. These SOPs represent the "best methods" for reducing impacts associated with gathering, handling, transportation, herd data collection, and application and monitoring of fertility control.

Attachment 1: Standard Operating Procedures for Wild Horse Gathers

Gathers are conducted by utilizing contractors from the Wild Horse Gathers-Western States Contract or BLM personnel. The following standard operating procedures (SOPs) for gathering and handling wild horses apply whether a contractor or BLM personnel conduct a gather. For helicopter gathers conducted by BLM personnel, gather operations would be conducted in conformance with the Wild Horse Aviation Management Handbook (January 2009).

Prior to any gathering operation, the BLM would provide for a pre-gather evaluation of existing conditions in the gather area(s). The evaluation would include animal conditions, prevailing temperatures, drought conditions, soil conditions, road conditions, and a topographic map with WSA boundaries, the location of fences, other physical barriers, and acceptable gather locations in relation to animal distribution. The evaluation would determine whether the proposed activities would necessitate the presence of a veterinarian during operations. If it is determined that a large number of animals may need to be euthanized or gather operations could be facilitated by a veterinarian, these services would be arranged before the gather would proceed. The contractor would be apprised of all conditions and would be given instructions regarding the gather and handling of animals to ensure their health and welfare is protected.

Gather sites and temporary holding sites would be located to reduce the likelihood of injury and stress to the animals, and to minimize potential damage to the natural resources of the area. These sites would be located on or near existing roads whenever possible.

The primary gather methods used in the performance of gather operations include:

1. Helicopter Drive Gathering. This gather method involves utilizing a helicopter to herd wild horses into a temporary gather site.
2. Helicopter Assisted Roping. This gather method involves utilizing a helicopter to herd wild horses to ropers.
3. Bait Trapping. This gather method involves utilizing bait (e.g., water or feed) to lure wild

Draft Pine Nut Mountains Herd Management Area Plan

horses into a temporary gather site.

The following procedures and stipulations would be followed to ensure the welfare, safety and humane treatment of wild horses in accordance with the provisions of 43 CFR 4700.

A. Gather Methods used in the Performance of Gather Contract Operations

The primary concern of the contractor is the safe and humane handling of all animals gathered. All gather attempts shall incorporate the following:

1. All gather sites and holding facilities locations must be approved by the Contracting Officer's Representative (COR) and/or the Project Inspector (PI) prior to construction. The Contractor may also be required to change or move gather locations as determined by the COR/PI. All gather sites and holding facilities not located on public land must have prior written approval of the landowner.
2. The rate of movement and distance the animals travel shall not exceed limitations set by the COR who would consider terrain, physical barriers, access limitations, weather, extreme temperature (high and low), condition of the animals, urgency of the operation (animals facing drought, starvation, fire rehabilitation, etc.) and other factors. In consultation with the contractor the distance the animals travel would account for the different factors listed above and concerns with each HMA.
3. All gather sites, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:
 - a. Gather sites and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high for horses and 60 inches high for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All gather sites and holding facilities shall be oval or round in design.
 - b. All loading chute sides shall be a minimum of 6 feet high and shall be fully covered, plywood, metal without holes larger than 2"x4".
 - c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for the animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.
 - d. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, plastic snow fence, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses.
 - e. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking or sliding gates.

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4. No modification of existing fences would be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.
5. When dust conditions occur within or adjacent to the gather site or holding facility, the Contractor shall be required to wet down the ground with water.
6. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, estrays or other animals the COR determines need to be housed in a separate pen from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling. Under normal conditions, the government would require that animals be restrained for the purpose of determining an animal's age, sex, or other necessary procedures. In these instances, a portable restraining chute may be necessary and would be provided by the government. Alternate pens shall be furnished by the Contractor to hold animals if the specific gathering requires that animals be released back into the gather area(s). In areas requiring one or more satellite gather site, and where a centralized holding facility is utilized, the contractor may be required to provide additional holding pens to segregate animals transported from remote locations so they may be returned to their traditional ranges. Either segregation or temporary marking and later segregation would be at the discretion of the COR.
7. The Contractor shall provide animals held in the gather sites and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the gather site or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. The contractor would supply certified weed free hay if required by State, County, and Federal regulation.
8. An animal that is held at a temporary holding facility through the night is defined as a horse/burro feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.
9. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of gathered animals until delivery to final destination.
10. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI would determine if animals must be euthanized and provide for the destruction of such animals. The Contractor may be required to humanely euthanize animals in the field and to dispose of the carcasses as directed by the COR/PI.
11. Animals shall be transported to their final destination from temporary holding facilities as quickly as possible after gather unless prior approval is granted by the COR for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR. Animals shall not be held in gather sites and/or temporary holding facilities on days when there is no work being conducted except as specified by the COR. The Contractor shall schedule shipments of animals to arrive at final

Draft Pine Nut Mountains Herd Management Area Plan

destination between 7:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays; unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours in any 24 hour period. Animals that are to be released back into the gather area may need to be transported back to the original gather site. This determination would be at the discretion of the COR/PI or Field Office Wild Horse & Burro Specialist.

B. Gather Methods That May Be Used in the Performance of a Gather

1. Gather attempts may be accomplished by utilizing bait (feed, water, mineral licks) to lure animals into a temporary gather site. If this gather method is selected, the following applies:
 - a. Finger gates shall not be constructed of materials such as "T" posts, sharpened wouldows, etc., that may be injurious to animals.
 - b. All trigger and/or trip gate devices must be approved by the COR/PI prior to gather of animals.
 - c. Gather sites shall be checked a minimum of once every 10 hours.
2. Gather attempts may be accomplished by utilizing a helicopter to drive animals into a temporary gather site. If the contractor selects this method the following applies:
 - a. A minimum of two saddle-horses shall be immediately available at the gather site to accomplish roping if necessary. Roping shall be done as determined by the COR/PI. Under no circumstances shall animals be tied down for more than one half hour.
 - b. The contractor shall assure that foals shall not be left behind, and orphaned.
3. Gather attempts may be accomplished by utilizing a helicopter to drive animals to ropers. If the contractor, with the approval of the COR/PI, selects this method the following applies:
 - a. Under no circumstances shall animals be tied down for more than one hour.
 - b. The contractor shall assure that foals shall not be left behind, or orphaned.
 - c. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who would consider terrain, physical barriers, weather, condition of the animals and other factors.

C. Use of Motorized Equipment

1. All motorized equipment employed in the transportation of gathered animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals. The Contractor shall provide the COR/PI, if requested, with a current safety inspection (less than one year old) for all motorized equipment and tractor-trailers used to transport animals to final destination.
2. All motorized equipment, tractor-trailers, and stock trailers shall be in good repair, of

Draft Pine Nut Mountains Herd Management Area Plan

adequate rated capacity, and operated so as to ensure that gathered animals are transported without undue risk or injury.

3. Only tractor-trailers or stock trailers with a covered top shall be allowed for transporting animals from gather site(s) to temporary holding facilities, and from temporary holding facilities to final destination(s). Sides or stock racks of all trailers used for transporting animals shall be a minimum height of 6 feet 6 inches from the floor. Single deck tractor-trailers 40 feet or longer shall have at least two (2) partition gates providing at least three (3) compartments within the trailer to separate animals. Tractor-trailers less than 40 feet shall have at least one partition gate providing at least two (2) compartments within the trailer to separate the animals. Compartments in all tractor-trailers shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck tractor-trailers is unacceptable and shall not be allowed.

All tractor-trailers used to transport animals to final destination(s) shall be equipped with at least one (1) door at the rear end of the trailer which is capable of sliding either horizontally or vertically. The rear door(s) of tractor-trailers and stock trailers must be capable of opening the full width of the trailer. Panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of all trailers must be strong enough so that the animals cannot push their hooves through the side. Final approval of tractor-trailers and stock trailers used to transport animals shall be held by the COR/PI.

Floors of tractor-trailers, stock trailers and loading chutes shall be covered and maintained with wood shavings to prevent the animals from slipping as much as possible during transport.

Animals to be loaded and transported in any trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers:

11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);

8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);

6 square feet per horse foal (0.75 linear feet in an 8 foot wide trailer);

4 square feet per burro foal (0.5 linear feet in an 8 foot wide trailer).

The COR/PI shall consider the condition and size of the animals, weather conditions, distance to be transported, or other factors when planning for the movement of gathered animals. The COR/PI shall provide for any brand and/or inspection services required for the gathered animals.

If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the Contractor would be instructed to adjust speed.

D. Safety and Communications

The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged in the gather of wild horses utilizing a VHF/FM Transceiver or VHF/FM

Draft Pine Nut Mountains Herd Management Area Plan

portable Two-Way radio. If communications are ineffective the government would take steps necessary to protect the welfare of the animals.

The proper operation, service and maintenance of all contractor furnished property is the responsibility of the Contractor. The BLM reserves the right to remove from service any contractor personnel or contractor furnished equipment which, in the opinion of the contracting officer or COR/PI violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor would be notified in writing to furnish replacement personnel or equipment within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative.

The Contractor shall obtain the necessary FCC licenses for the radio system

All accidents occurring during the performance of any task order shall be immediately reported to the COR/PI.

Should the contractor choose to utilize a helicopter the following would apply:

The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State in which the gather is located.

Fueling operations shall not take place within 1,000 feet of animals.

E. Site Clearances

No personnel working at gather sites may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage or otherwise alter or deface any archaeological resource located on public lands or Indian lands.

Prior to setting up a gather site or temporary holding facility, BLM would conduct all necessary clearances (archaeological, T&E, etc.). All proposed site(s) must be inspected by a government archaeologist. Once archaeological clearance has been obtained, the gather site or temporary holding facility may be set up. Said clearance shall be arranged for by the COR, PI, or other BLM employees.

Gather sites and temporary holding facilities would not be constructed on wetlands or riparian zones.

F. Animal Characteristics and Behavior

Releases of wild horses would be near available water when possible. If the area is new to them, a short-term adjustment period may be required while the wild horses become familiar with the new area.

G. Public Participation

Opportunities for public viewing (i.e. media, interested public) of gather operations would be made available to the extent possible; however, the primary considerations would be to protect the health, safety and welfare of the animals being gathered and the personnel involved. The public must adhere to guidance from the on-site BLM representative. It is BLM policy that the

Draft Pine Nut Mountains Herd Management Area Plan

public would not be allowed to come into direct contact with wild horses being held in BLM facilities. Only authorized BLM personnel or contractors may enter the corrals or directly handle the animals. The general public may not enter the corrals or directly handle the animals at any time or for any reason during BLM operations.

H. Responsibility and Lines of Communication

Contracting Officer's Representative/Project Inspector: TBD

The Contracting Officer's Representatives (CORs) and the project inspectors (PIs) have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. The Field Manager for the SFFO would take an active role to ensure the appropriate lines of communication are established between the field, Field Office, District Office, State Office, National Program Office, and BLM Holding Facility offices. All employees involved in the gathering operations would keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries would be handled through the Field Manager and District Public Affairs Officer. These individuals would be the primary contact and would coordinate with the COR/PI on any inquiries.

The COR would coordinate with the contractor and the BLM Corrals to ensure animals are being transported from the gather site in a safe and humane manner and are arriving in good condition.

The contract specifications require humane treatment and care of the animals during removal operations. These specifications are designed to minimize the risk of injury and death during and after gather of the animals. The specifications would be vigorously enforced.

Should the Contractor show negligence and/or not perform according to contract stipulations, he would be issued written instructions, stop work orders, or defaulted.

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Attachment 2: Comprehensive Animal Welfare Policy

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240-0036
<http://www.blm.gov>

September 25, 2015

In Reply Refer To:
4720 (260) P

EMS TRANSMISSION 09/29/2015
Instruction Memorandum No. 2015-151
Expires: 09/30/2018

To: All Field Office Officials (except Alaska)
From: Assistant Director, Resources and Planning
Subject: Comprehensive Animal Welfare Program for Wild Horse and Burro Gathers

Program Area: Wild Horse and Burro (WH&B) Program

Purpose: The purpose of this Instruction Memorandum (IM) is to establish policy for the Wild Horse and Burro (WH&B) Gather component of the Comprehensive Animal Welfare Program (CAWP). It defines standards, training and monitoring for conducting safe, efficient and successful WH&B gather operations while ensuring humane care and handling of animals gathered.

Policy/Action: The Bureau of Land Management (BLM) is committed to the well-being and responsible care of WH&B we manage. At all times, the care and treatment provided by the BLM and its contractors will be characterized by *compassion and concern* for WH&B well-being and welfare needs.

All State, District and Field Offices are required to comply with the CAWP policy for all gathers within their jurisdiction. The CAWP for WH&B gathers includes three components:

1. Comprehensive Animal Welfare Program Standards for Wild Horse and Burro Gathers (Attachment 1): These standards include requirements for trap and temporary holding facility design; capture and handling; transportation; and appropriate care after capture. The standards have been incorporated into helicopter gather contracts as specifications for performance.
2. Training: All Incident Commanders (IC), Contracting Officer Representatives (COR), Project Inspectors (PI) and contractors must complete a mandatory training course. The training is available online via DOI Learn: Course Title: BLM's Comprehensive Animal Welfare Program (CAWP) – gathers; Course Number: 4700-13.
3. CAWP Gather Assessment Tool (Attachment 2): The Gather Assessment Tool will be used during FY2016 for evaluating the effectiveness of mandatory training and adequacy of the Standards for CAWP for WH&B Gathers. The WO-260 Division is responsible for overseeing implementation of assessments as well as providing the necessary access to the assessment tool for those gathers selected for internal assessment during FY2016.
4. Starting in FY2017, the Assessment Tool will be used to evaluate compliance by the BLM and its contractors with the Standards for CAWP for WH&B Gathers. The WO-260 Division will oversee the completion of all assessments as well as providing the necessary access to the assessment tool for those gathers identified for both internal and external assessment by internal and external personnel during FY2017.

This IM supersedes Interim IM No. 2013-059, Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy which was issued as part of a package of IMs covering various aspects of the management of WH&B gathers, including:

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- IM No. 2013-058, Wild Horse and Burro Gathers: Public and Media Management.
- IM No. 2013-060, Wild Horse and Burro Gathers: Management by Incident Command System
- IM No. 2013-061, Wild Horse and Burro Gathers: Internal and External Communicating and Reporting

The goal of this IM is to ensure that the responsibility for humane care and treatment of WH&Bs remains a high priority for the BLM and its contractors at all times. The Bureau's objective is to use the best available science, husbandry and handling practices applicable for WH&Bs and to make improvements whenever possible, while also meeting our overall gather goals and objectives in accordance with current BLM policy, standard operating procedures and contract requirements. The CAWP and its associated components will be reviewed regularly and modified as necessary to enhance its transparency and effectiveness in assuring the humane care and treatment of the WH&Bs.

The Lead COR is the primary party responsible for promptly addressing any actions that are inconsistent with the Standards set forth in the CAWP. The Lead COR may delegate responsibility to an alternate COR. The Lead COR will promptly notify the contractor if any improper or unsafe actions are observed and will ensure that they are promptly rectified. If issues are left unresolved or immediate action is required, the Lead COR has the authority to suspend gather operations. Through coordination with the Contracting Officer, the Lead COR shall, if necessary, ensure that corrective measures have been taken to prevent such actions from reoccurring and all follow-up and corrective measures shall be reported as a component of the Lead COR's daily reports.

Timeframe: All portions of this policy are effective as of October 1st, 2015.

Budget Impact: This IM is implementing new policy and guidance with additional training and reporting requirements for personnel and contractors. The cost for the required training is about \$250 per person. CAWP program implementation, oversight, data compilation and reporting requirements will require an additional 12 to 15 work months per year.

Background: The authority for a Comprehensive Animal Welfare Program for WH&B Gathers is provided by Public Law 92-195, Wild Free-Roaming Horses and Burros Act of 1971 (as amended) and 43 CFR 4700.0-2.

The Comprehensive Animal Welfare Program for WH&B gathers consolidates and highlights the BLM's policies, procedures and ongoing commitment to protect animal welfare; provide training for employees and contractors on animal care and handling; and implement a gather assessment tool which will be used to evaluate the agency's and contractor's adherence to standards for the handling and care of animals during gather operations.

Manual/Handbook Sections Affected: None

Coordination: This IM was coordinated among WO-100, WO-200, WO-260, WO-600, WH&B State Leads and WH&B Specialists.

Contact: Bryan Fuell, On-Range Branch Chief, Wild Horse and Burro Program, at 775-861-6611.

Signed by:
Michael H. Tupper
Acting, Assistant Director
Resources and Planning

Authenticated by:
Robert M. Williams
Division of IRM Governance, WO-860

2 Attachments

- 1 - Comprehensive Animal Welfare Program Standards for Wild Horse and Burro Gathers (20 pp)
- 2 - CAWP Gather Assessment Tool screen shots (26 pp)

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Attachment 3: Public Observation of Wild Horse and Burro Gathers

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240
<http://www.blm.gov>

July 22, 2010

In Reply Refer To:
4710 (260) P

EMS TRNASMISSION 07/23/2010
Instruction Memorandum No. 2010-164
Expires: 09/30/2011

To: All Field Officials (except Alaska)
From: Assistant Director, Renewable Resources and Planning
Subject: Public Observation of Wild Horse and Burro Gathers

Program Area: Wild Horse and Burro Program

Purpose: The purpose of this Instruction Memorandum (IM) is to establish policy for public observation of wild horse and burro (WH&B) gathers.

Policy/Action: The Bureau of Land Management's (BLM's) policy is to accommodate public requests to observe a gather primarily through advance appointment, on days and at times scheduled by the authorized officer. Planning for one public observation day per week is suggested.

Specific viewing opportunities will be based on the availability of staff with the necessary expertise to safely and effectively host visitors, as well as other gather-specific considerations (e.g., weather, terrain, road access, landownership). The public should be advised that observation days are tentative and may change due to unforeseen circumstances (e.g., weather, wildfire, trap relocation, equipment repair, etc.). To ensure safety, the number of people allowed per observation day will be determined by the District Manager (DM) and/or Field Office Manager (FM) in consultation with the Contracting Officer's Representative/WH&B Specialist (COR) for the gather.

The DM/FM has the primary responsibility for effectively planning and managing public observation of the gather operation. Advance planning will:

- Ensure that the public have opportunities to safely observe wild horse gathers;
- Minimize the potential for disruption of the gather's execution;

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- Maximize the safety of the animals, visitors, and the BLM and contractor personnel;
- Provide for successful management of visitors; and
- Ensure preparedness in the event of unanticipated situations.

The authorized officer will consider the following when planning for public observation of WH&B gather operations. Also see Attachment 1 (Best Practices When Planning for Public Observation at Gathers).

A. Safety Requirements

During WH&B gathers, the safety of the animals, the BLM and contractor personnel, and the public is of paramount importance. Because of the inherent risk involved in working with WH&B, the public will not be allowed inside corrals or pens or be in direct contact with the animals. Viewing opportunities during the gather operation must always be maintained at a safe distance (e.g., when animals are being herded into or worked at the trap or temporary holding facility, including sorting, loading) to assure the safety of the animals, the BLM and contractor personnel, and the public.

Unless an emergency situation exists, the BLM's policy prohibits the transportation of members of the public in Government or Contractor-owned or leased vehicles or equipment. Therefore, observers are responsible for providing their own transportation to and from the gather site and assume all liability for such transportation.

The helicopter/aircraft is the private property of the gather contractor. Due to liability and safety concerns, Bureau policy prohibits observers from riding in or mounting cameras onto the aircraft. Should observers create unsafe flying and gathering conditions, for example, by hiring an aircraft to film or view a gather, the COR, in consultation with the gather contractor, will immediately cease gather operations.

The COR has the authority to stop the gather operation when the public engage in behavior that has the potential to result in harm or injury to the animals, employees, or other members of the public.

B. Planning for Public Observation at WH&B Gathers

During advance planning for public observation at WH&B gathers, the authorized officer should consult with the State External Affairs Chief or appropriate Public Affairs office. An internal communications plan will be developed for every gather (Attachment 2). It may also be helpful to prepare answers to frequently asked questions (Attachment 3).

C. Law Enforcement Plan

A separate Law Enforcement Plan should be developed if the need for law enforcement support is anticipated. The Law Enforcement Plan must be approved in advance by the Special Agent-In-Charge (SAC) or the State Staff Ranger of the State in which the gather is occurring.

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D. Temporary Closure to Public Access

Under the authority of section 303(a) of the Federal Land Management and Policy Act (43 U.S.C. 1733(a)), 43 CFR 8360.0-7, and 43 CFR 8364.1, the authorized officer may temporarily close public lands within all or a portion of the proposed gather area to public access when necessary to protect the health and safety of the animals, the public, contractors and employees. Completion of a site-specific environmental analysis of the environmental impacts associated with the proposed closure and publication of a Federal Register Notice is required.

E. Gather Contract Pre-Work Conference

- Talk to the contractor about how many members of the public are expected and when. Discuss, and reach mutual agreement, about where best to position the public at the individual trap-sites to allow the gather to be observed, while accomplishing the gather objectives and assuring the humane treatment of the animals and the safety of the BLM and contractor personnel, and public.
- No deviation from the selected viewing location(s) should be made, unless the gather operation is being adversely impacted. The COR will consult with the gather contractor prior to making any changes in the selected viewing locations.
- The BLM's policy prohibits it from ferrying observers in the helicopter or any other mode of conveyance unless an emergency situation exists. Review this policy with the contractor during the pre-work conference.

F. Radio Communication

- Assure there is effective radio communication between law enforcement personnel, gather COR or project inspectors (PIs), and other BLM staff.
- Identify the radio frequencies to be used.
- Communication with the gather contractor is through the BLM COR or PI, and from the gather contractor to the helicopter pilot. Direct communication between BLM personnel (other than the COR) and the helicopter pilot is not permitted, unless agreed upon by the BLM authorized officer and the contractor in advance, or the pilot is requesting information from the COR.

G. Pre- and Post-Action Gather Briefings

- Pre-briefings conducted by knowledgeable and experienced BLM staff can be helpful to the public.
- The pre-gather briefing is an opportunity to explain what individuals will see, why the BLM is conducting the gather, how the animals will be handled, etc.
- Post-action briefings may also be helpful in interpreting and explaining what individuals saw, what happened, why certain actions were taken, etc.

H. Summary of Individual Roles and Responsibilities

1. District and/or Field Office Managers

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DMs and/or FMs are responsible for keeping the State Director and State WH&B Lead fully informed about the gather operation. Included is working with State/local public affairs staff to prepare early alerts if needed. An additional responsibility is determining if a law enforcement presence is needed.

2. Public Affairs Staff

The local district/field office public affairs staff is responsible for working with the COR, DM/FM, other appropriate staff, the State WH&B Program Lead, and the State Office of Communications to implement the communications strategy regarding the gather.

3. Law Enforcement

Develop and execute the law enforcement plan in consultation with District/Field Office Managers, the COR/PI, and the State's Special Agent-In-Charge or State Staff Ranger.

4. Contracting Officer's Representative (COR)/Project Inspectors (PIs)

The COR and the PI's primary responsibility is to administer the contract and manage the gather. A key element of this responsibility is to assure the safe and humane handling of WH&B. The COR is also responsible for working closely with the DM/FM and Public Affairs Staff to develop the communication plan, and for maintaining a line of communication with State, District, and Field Office managers, staff and specialists on the progress of, and any issues related to, the gather operation.

Timeframe: This instruction memorandum is effective immediately.

Budget Impact: Higher labor costs will be incurred while accommodating increased interest from the public to attend gather events. The budget impacts of unanticipated situations which can occur during WH&B gathers include substantial unplanned overtime and per diem expense. Through advance planning, necessary support staff can be identified (e.g., law enforcement, public affairs, or other BLM staff) and the cost-effectiveness of various options for providing staff support can be evaluated. In situations where public interest in a gather operation is greater than anticipated, the affected state should coordinate with the national program office and headquarters for assistance with personnel and funding.

Background: Heightened interest from the public to observe WH&B gathers has occurred. Advance planning for public observation of gather operations can minimize the potential for unanticipated situations to occur during WH&B gathers and assure the safety of the animals, the BLM and contractor personnel, and the public.

Manual/Handbook Sections Affected: No change or affect to the BLM manuals or handbooks is required.

Coordination: This IM was coordinated among WO-200 and WO-260 staff, State WH&B Program Leads, field WH&B Specialists, public affairs, and law enforcement staff in the field.

Contact: Questions concerning this policy should be directed to Susie Stokke in the Washington Office at (202) 912-7262 or Lili Thomas in the National Program Office at (775) 861-6457.

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Signed by:

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Authenticated by:

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Division of IRM Governance, WO-560

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